JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF KENTUCKY

Regular Session 1936

VOL. II

Held in the State Capitol, in the Capital City of Kentucky,
at Frankfort, in the year of Our Lord 1936 and in
the One Hundred and Forty-Fourth year
of the Commonwealth

Begun on the seventh day of January and adjourned
sine die on the fifteenth day of February

BROOKS L. HARGROVE, *Chief Clerk*
MARSHALL BARNES, *Assistant Clerk*
JANE ADDAMS WADDLE, *Stenographer*

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Regular Session 1936

MONDAY, JANUARY 27, 1936.

The House was opened with prayer by the Reverend Garland Embry of the county of Grayson.

The roll was called and the following members answered to their names, viz.:

F. T. Allen
Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
G. M. Ballard
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Clarence E. Evans
Walter R. Fannin
Chas. P. Farnsley
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
James Garnett, Jr.
Eugene Gough
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy

T. B. McConnell	Mel Petry	Bruce Sloan
J. L. McDermott	A. W. Pfeiffer	H. C. Steely
Lloyd MacDonald	J. C. Ramey	Henry Stewart
W. F. McGary	Hobart Rayburn	Dr. H. S. Swope
Elmer McGlothen	Harry C. Records	W. R. Tapp
C. S. Matherly	L. K. Rice	J. J. Thomas
Duke Mayfield	Wade H. Riley	R. Van Bever, Jr.
G. S. Milam	Joe E. Robinson	S. J. Wagner
W. H. Miller	John C. Robinson	Joseph L. Wall
John B. Mollett	A. W. Ross	Henry Ward
Tyler Munford	Carl Scheben	L. R. Wells
Rodes K. Myers	Ray O. Shehan	W. G. Williams
J. C. Nickell	P. L. Sidebottom	Charles Wylie
Russell O'Neill	Chester D. Silvers	

Mr. Davis moved that the reading of the Journal of Friday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Matherly moved that the privilege of the floor be extended to Professor Harned.

Said motion was agreed to.

Mr. McConnell moved that the privilege of the floor be extended to Messrs. Catlett and Satterfield of Caldwell County.

Said motion was agreed to.

Mr. Evans moved that the privilege of the floor be extended to Mr. and Mrs. L. F. Whisman.

Said motion was agreed to.

By unanimous consent, a bill entitled:

H. B. 373. An Act describing crimes against nature and fixing punishment therefor.

Was withdrawn, by Mr. Fannin.

His Excellency, The Honorable A. B. Chandler, Governor of the Commonwealth of Kentucky, appeared upon the floor of the House, where he took his place at the Clerk's desk and addressed the House in regard to the provisions of the "Old Age Pension Law."

Mr. Silvers offered the following resolution, viz.:

H. Res. 45. *Be it Resolved by the House of Representatives of Kentucky, the Senate concurring*:

That, in recognition of the work of the Hon. J. Lon Foust, Chancellor of the Third Chancery Division of the State of Tennessee, in founding, fostering and for twelve years directing the completion of the work of getting a direct highway constructed between Lexington, Kentucky, and Chattanooga, Tennessee, now known as a section of United States Highway No. 27, and in view of the action of the Tennessee General Assembly, in regular session in 1935, in memoralizing the founder of said highway by naming Tennessee's part of the road for the Hon. J. Lon Foust, the section from Lexington to the Tennessee State line over the present route of U. S. Highways No. 27 be named The Foust Highway and, if consistent, designated by the erection of suitable markers bearing such name, by the Kentucky State Highway Commission.

Be it Further Resolved, That the Clerk of this House send a copy of this resolution to the Honorable Governor of the State of Tennessee and to Hon. J. Lon Foust of the City of Chattanooga, Tennessee.

Said resolution was adopted.

Mr. Silvers offered the following resolution, viz.:

Resolution appointing Hon. J. A. Coleman of the county of Pulaski, Chairman of all "Opossum Supper Associations" of this Commonwealth.

Whereas, since the days of Daniel Boone, John James Audubon and James Lane Allen, few Kentuckians have distinguished themselves in preserving the early traditions of wild life in Kentucky; and,

Whereas, the Honorable J. A. Coleman of Somerset, Representative from the 41st Legislative District, has courageously preserved and carried forward the traditions of the early Kentucky pioneer by annually making possible Opossum suppers, where the spirit of the pioneer finds expression around the festive board and where wild life, familiar to the early History of Kentucky is discussed; and,

Whereas, there is now great need of preserving for posterity the ideals and traditions of the Kentucky pioneer, who in a swift moving civilization may be entirely forgotten: Now, Therefore,

Be it Resolved by the House of Representatives of the Commonwealth of Kentucky, That Hon. J. A. Coleman of the county of Pulaski is hereby appointed Chairman of all "Opossum Suppers Associations" of this Commonwealth and is hereby authorized and directed to hold opossum suppers, when and wherever he may so choose, receiving unto himself, all the rights and emoluments of said office as are now or may hereafter be fixed by law.

Be it Further Resolved, That the Clerk of this House be directed to forward a copy of this resolution to the Governor of this Commonwealth and the Somerset Chamber of Commerce.

Said resolution was adopted.

Upon a call of the Counties and Legislative Districts, the

following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Rice:

H. B. 402. An Act to repeal Chatper 139, Acts of 1932, relating to Barbers and Beauticians.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 139, Acts of 1932, relating to Barbers and Beauticians, be, and the same is now and hereby, repealed.

To Committee on Public Health No. 1.

By Mr. McConnell:

H. B. 403. An Act relating to railroad companies and prohibiting railroad companies from requiring any of their employees to place an engine behind Caboose in helping service where such service is required and providing for the safety of the employees and providing the penalty for the violation of this Act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any railroad company to require of its employees to place an engine behind Caboose in helping service where such service is required.

§ 2. Any railroad company violating any of the provisions of this Act shall be fined not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) for each and every violation of this Act.

To Committee on Kentucky Statutes No. 1.

By Mr. Fannin:

H. B. 404. An Act amending Section 68b-1 to and including 68b-37, Carroll's Kentucky Statutes, and providing for exemption of taxes for all registered fox hounds in the State.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That hereafter all dogs that are registered in the office of the County Court Clerk's office as fox hounds shall be exempt from payment of any taxes by the owner; provided that any such owner shall establish by affidavit by himself and two other persons that such dog is used for hunting foxes; and provided further that such owner shall pay a fee of fifty cents to the County Court Clerk for each dog so registered; of which amount twenty-five (25c) cents shall be paid to the State.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

To Committee on Fish and Game.

By Mr. Fannin:

H. B. 405. An Act to provide a monthly payment to all persons in this State who have taught in the public schools thereof for a period of twenty-five years, and who have reached the age of sixty years.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all persons who are residents of this State

and who have taught in the Public Schools thereof for a period of twenty-five years, and shall have reached the age of sixty years; shall be paid monthly the sum of twenty ($20.00) dollars per month from the General Funds of the State; provided that such a person establish by the records of the County Superintendent's Office or State Educational Departments, or if such records are destroyed or lost by the affidavit of three disinterested parties that he or she has taught in the Public Schools for any school term or portion of terms during a period of twenty-five years. Any part or time taught in any one year under contract shall for the purpose of this Act be deemed a year.

§ 2. Any person who comes under the provision of this Act shall file their proof and claims in the office of the State Treasury, who shall monthly thereafter issue to any such person a monthly check drawn upon the General Funds for twenty ($20.00) dollars.

§ 3. All laws or parts of laws in conflict herewith are hereby repealed.

To Committee on Education No. 1.

By Mr. Mayfield:

H. B. 406. An Act in aid of drainage, levee and reclamation districts now or hereafter organized under the laws of the Commonwealth of Kentucky and authorizing the refunding of the bonded indebtedness of such districts, with an emergency clause.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Whenever the Board of Drainage Commissioners or other governing authority of any drainage, levee or recla-

mation district heretofore or hereafter organized under the laws of this State shall find and declare of record that it is advisable and for the best interests of the landowners of any such district to refund all or any part of the bonded indebtedness of such district, such board or other governing authority may isuse refunding bonds of such district, payable at such longer time, not exceeding 40 years from their date, as such board or governing authority may determine. Such refunding bonds shall not exceed in the aggregate the amount of bonds refunded thereby and interest accrued thereon to the date of said refunding bonds. They shall bear interest at a rate not exceeding six per centum (6%) per annum, payable semi-annually, and when issued may be exchanged for the outstanding bonds if the holders thereof so agree, or said refunding bonds may be sold for not less than the par value thereof and accrued interest, and the proceeds of the sale of said bonds shall be used in the payment of the outstanding bonds and the cost and expenses incident to the issuing of such refunding bonds. Provided, however, no refunding bonds so sold shall become valid obligations of such district unless and until an equivalent amount of the bonds refunded thereby shall have been surrendered by the holders thereof and duly canceled. In the event provisions are made for the issuance of refunding bonds hereunder, any landowner shall have the right, at any time within two weeks after the order providing for their issuance is made, to pay the full amount of uncollected principal tax or assessment chargeable to his land for the payment of the bonds proposed to be refunded, and upon payment thereof his land shall be released from the tax or assessment for the payment of the refunding bonds, but shall remain subject to additional taxes, if any, that may be levied by such district pursuant to law. Unless and until refunding bonds shall have been authorized and issued, the rate of tax or assessment or amount of assessment applicable to the bonds to be refunded, shall not be reduced.

§ 2. Before issuing any refunding bonds as herein authorized, such board of drainage commissioners or other governing authority, as the case may be, shall set a date and designate a place for a hearing and shall give notice of such hearing to the landowners, persons or corporations owning any interest in any lands or other property assessed in such district, of its intention to refund such bonds. Such notice shall be published in a newspaper published in each county in which the lands in such district may lie, and there shall be at least two insertions of said notice in said paper or papers to be made once in each two consecutive weeks and on the same day of each week, the last insertion thereof to be not less than five days prior to the date set for said hearing. Such hearing shall be held by such board or governing authority as the case may be, at the place designated by said board or governing authority as aforesaid, and the said notice will be sufficient if substantially in the following form:

All persons, corporations or other persons interested in lands or other property lying in.....District, ...County, Kentucky, take notice:

That..... District, ...County, Kentucky, desires to refund all (or part) of its outstanding bonded indebtedness (and accrued interest thereon) and that at..... in the City of....., on the day of....., 19....., at ..... o'clock .....M., any landowner or other person or corporation having an interest in any land or property in said district may appear before the Board of Drainage Commissioners (or other governing authority) of said district, and show any cause why said refunding should not be done, and taxes in addition to the assessed benefits levied, if necessary, for the purpose of paying interest on such refunding bonds; and you are further notified that if a majority of the owners of land in said district, owning a majority of the acres of land therein, object to such refunding, the said refunding will be abandoned. You

will further take notice that unless such refunding shall be abandoned, any landowner will have the right at any time within two weeks after the making of the order providing for the issuing of refunding bonds by said Board of Drainage Commissioners (or other governing authority), if such order should be made, to pay the full amount of uncollected principal tax or assessment chargeable to his land or any tract thereof, for the payment of the bonds proposed to be refunded; and any tract on which such tax or assessment shall be paid, will be released from any tax or assessment for the payment of such refunding bonds, but shall remain subject to additional taxes, if any, that may be levied by such district pursuant to law. Of which you will take due notice and govern yourselves accordingly.

Dated at ....., Kentucky, the ..... day of ....., 19..... Board of Drainage Commissioners of .....County, Kentucky.

By.....

In the event that at or prior to the time of the holding of the meeting and hearing hereinbefore provided for, a majority of the owners of lands in such district, owning a majority of the acres of land therein should file with such board, or other governing authority, written objections to the refunding of the outstanding bonds of such district, the board of drainage commissioners, or other governing authority, shall enter an order finding the fact of such objections having been filed and abandon such refunding.

§ 3. Upon the issuance of the refunding bonds as herein provided, all unmatured annual installments or all unlevied assessments, as the case may be, or so much thereof as may be necessary, shall be made payable in annual installments in such amounts as will be sufficient to provide for the payment of the refunding bonds at maturity, and in addition thereto there shall be levied from year to year such taxes in proportion to such unmatured installments or uncollected

assessments, as will be sufficient to provide for the payment of the interest on such refunding bonds as it accrues. Each year while any of such refunding bonds remain outstanding and unpaid, it shall be the duty of the board of drainage commissioners or other governing authority to ascertain the amount of funds required for the payment of maturing bonds and accruing interest during the succeeding year, and to make up, certify and transmit to the sheriff and ex-officio tax collector of each county wherein any of the lands of the district are situate, and annual tax book on which there shall be extended the annual installments so ascertained; the said installments shall be apportioned to the several tracts of lands and other properties in such district in proportion to the aforesaid unmatured annual installments or assessments, and the aggregate so certified for each year shall be sufficient to make ample provision for the payment of maturing principal and accruing interest on such refunding bonds, making due allowance for probable delinquencies in the payment of taxes and the costs of collection. Provided, however, that the total of such taxes, exclusive of taxes levied for interest on such refunding bonds, shall not exceed the benefits assessed upon any tract of land in such district.

§ 4. All such taxes or assessments levied as herein provided, for the payment of principal and interest on refunding bonds of any such district, shall be collected and collection thereof enforced, at the same time, in the same manner, and by the same means as is provided by law for the collection of other taxes levied by such district, and the holder of any such refunding bonds, in addition to the rights hereby conferred, shall have the same rights as were possessed by the holders of the bonds refunded thereby.

§ 5. Any landowner failing to avail himself of the privilege conferred by this act of paying in full the unpaid principal tax or assessment against his land, shall not be heard to complain by reason of additional interest to be collected from his lands on account of the issuance of refunding bonds.

§ 6. Taxes or assessments levied for the payment of refunding bonds and interest thereon shall be secured by the same lien as other taxes of such districts heretofore provided for by law.

§ 7. All powers necessary to be exercised by any such district or any such board of drainage commissioners or other governing authority, in order to carry out the provisions of this act, are hereby conferred upon such dstrict and upon such board of drainage commissioners or other governing authority as the case may be, and no proceedings for the issuance of refunding bonds other than provided for and required herein, shall be necessary.

§ 8. All drainage, levee or reclamation districts heretofore or that may be hereafter organized under any law of this state are hereby authorized and empowered to do each and every act necessary to be by them performed in order to comply with or avail themselves of the provisions of any legislation now enacted or that may be hereafter enacted by the Congress of the United States of America, having for its purpose the refunding or extending the time of payment of the bonded indebtedness of any drainage, levee or reclamation district or otherwise lightening the present burdens of taxation resting on the lands and property in such districts.

§ 9. Whereas, the depressed conditions of agriculture during the past several years have resulted in the inability of landowners in drainage, levee and reclamation districts in this state to pay taxes levied by such districts; and whereas, the inability and failure of landowners to pay taxes to such districts has resulted in the default by such districts in the payment of bonds issued thereby; and whereas, the defaults aforesaid are widespread throughout the state and the continuance thereof may result in the serious impairment of the public faith and credit of the State of Kentucky and its subdivisions; and whereas, it is highly important that the burden of taxation levied by such districts upon the landowners

therein be lightened through the refunding of outstanding indebtedness and through the extension of the time of payment thereof, an emergency is hereby found and declared to exist within the meaning of Section 55 of the Constitution of the Commonwealth of Kentucky, and this act shall be in force and effect from and after its passage and approval.

To Committee on Drains and Ditches.

By Mr. Tapp:

H. B. 407. An Act relating to appeals to the Court of Appeals and providing that appeals may be taken to said court as a matter of right from all final judgments and orders of circuit courts regardless of the amount or thing in controversy; and providing that no appeal shall be taken to said court from any order or judgment of the county court, except in actions for the division of land and allotment of dower; and providing that no appeal shall be taken to the Court of Appeals from quarterly, police, fiscal, or justices' courts, or from bonds having the force of judgments; and providing that no appeal shall lie for the purpose of reversing a judgment granting a divorce; and repealing and re-enacting Chapter 221, Section 2, of the Acts of 1893, as amended by Chapter 19 of the Acts of 1898, and Chapter 23 of the Acts of 1914 (being Section 950-1 of Carroll's 1930 Kentucky Statutes); and repealing all acts or parts of acts, and all laws or parts of laws, in conflict herewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 221, Section 2, of the Acts of 1893, as amended by Chapter 19 of the Acts of 1898, and Chapter 23 of the Acts of 1914 (being Section 950-1 of Carroll's 1930 Ken-

tucky Statutes) be and is now repealed and re-enacted so that same, when repealed and re-enacted, shall read as follows:

An appeal may be taken to the Court of Appeals as a matter of right from a final judgment or order of the circuit court in all cases, regardless of the amount or thing in controversy. Provided, however, that no appeal shall lie to said court from any order or judgment of any county court, except in actions for the division of land and allotment of dower; nor from any order or judgment of a quarterly, police, fiscal, or justices' court; nor from a bond having the force of a judgment; nor shall any appeal lie to said court for the purpose of reversing a judgment granting a divorce.

§ 2. All acts and parts of acts, and all laws and parts of laws, in conflict herewith are hereby repealed.

To Committee on Court of Appeals.

By Mr. Tapp:

H. B. 408. An Act adding to the State Primary System of Highways a project connecting the Madisonville-Sacramento road with the Madisonville-Hanners Bridge road, Hopkins County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road project beginning at the Jim Vannoy farm on the Madisonville-Sacramento Public Road No. 85, following the county road as near as practical to the Island section, via Jim Dude Slaton's farm and turning in a northerly direction and intersecting the Madisonville-Hanners Bridge Road, and near Browder's Church, Hopkins County, Kentucky, a distance of about six (6) miles.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

To Committee on Roads and Highways No. 2.

By Mr. Tapp:

H. B. 409. An Act adding to the State Primary System of Highways a project connecting the Dawson Springs-Providence Road, State Project No. 124-366, and the Madisonville-Princeton Road, State Project No. 317-417, via Dixon Inglis's farm, Hopkins County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road beginning at Charleston, Hopkins County, Kentucky, on the Dawson Springs-Providence Road, State Project No. 124-366, and running via Dixon Inglis's farm and the Herb Ligon farm and the Yellow Schoolhouse near Olney and Kirkwood Springs, and intersecting the Madisonville-Princeton road near George Neisz's blacksmith shop following the county road as near as practical, in Hopkins County, Kentucky, a distance of about ten (10) miles.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

To Committee on Roads and Highways No. 2.

By Mr. Garnett:

H. B. 410. An Act providing for the holding of local

option elections concerning the sale of intoxicating liquors, and providing the manner and means of holding such elections.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

TITLE VII

LOCAL OPTION

§ 2301. *Petitions for the Holding of Local Option Elections; Orders Directing the Holding of Such Elections; Such Elections Not to be Held on Regular Election Days.* Upon application, by written petition, signed by a number of legal voters of any county, city, town, district or precinct in this Commonwealth equal to twenty-five per cent of the legal votes cast therein at the last preceding general election, it shall be the duty of the Judge of the County Court of such county or of the county in which the city, town, district or precinct is located, not later than the next regular term of such county court after the receipt of such petition, to enter an order in the order book of such county court directing an election to be held in such county, city, town, district or precinct, as the case may be, on a day certain, not less than thirty nor more than sixty days after the date of the entry of said order, for the purpose of taking the sense of the legally qualified voters of such county, city, town, district or precinct, as to whether or not spirituous, vinous or malt liquors shall be sold, bartered or loaned therein, or the sale thereof regulated. No signature shall be added to or voluntarily stricken from such petition after same shall have been presented to the County Judge. Said order shall direct the Sheriff or such other officer as may be under the duty, by law, of holding general elections in such county to open a poll in each and every voting place on the aforesaid date in such county, city, town, district or precinct, as the case may be, and to supply each such vot-

ing place with voting booths, ballots, ballot-boxes and other necessary or appropriate paraphernalia. Such election, however, shall not be held on, nor within fifteen days before or after, the date of any regular or special general or primary election in such county. The costs of such election shall be defrayed as are the costs of regular elections of county officers.

§ 2302. *Duties of County Clerk and Sheriff Relative to Local Option Elections; Advertising of Such Elections.* It shall be the duty of the County Clerk to furnish the Sheriff or other such officer as may be under the duty, by law, of holding such election an attested copy of the said order of the county court, as it appears on the order book of that court, within three days after said order shall have been entered. It shall be the duty of the Sheriff or other such officer to advertise the fact that such election is to be held, and its date and purpose, by causing said order to be published in a newspaper of general circulation in said county, city, town, district or precinct, as the case may be (if there be such a newspaper), at least once a week for two consecutive weeks next preceding the date of said election, and daily if practical, and by posting printed or typewritten copies of said order, at least two weeks prior to the date of said election, at the door of the court house of the county in which said election is to be held and in at least five other conspicuous places in such county, city, town, district or precinct, as the case may be.

§ 2303. *Election Officers; Counting of Ballots and Certification of Vote; General Election Laws Applicable.* All such elections shall be held by officers qualified, chosen and paid in the same manner as would be officers selected to hold any regular general election, and the votes shall be counted and certified in the same way as would be the votes in such regular general election. Except where their provisions expressly conflict with the provisions of this title, all general laws of this Commonwealth now in force or which hereafter may be

enacted relative to elections shall apply with full force and effect to all elections held under this title.

§ 2304. *Proclaiming the Result of Local Option Elections.* One copy of the certificate of the County Board of Election Commissioners shall be retained in the Clerk's Office, and another delivered to the County Judge, who, upon receipt of same, shall enter an order upon the order book of the county court, declaring the result of the election. The County Judge shall, within three days after the entry of such order, by proclamation, proclaim the result of said election by advertising same for the time and in the manner set forth in Section 2302 hereof.

§ 2305. *Contests of Local Option Elections; Procedure; Parties; Costs.* Within five days from the date on which the County Board of Election Commissioners shall have certified the result of such election to the County Judge any ten or more legally qualified voters of such county, city, town, district or precinct, as the case may be, who may desire to contest the result of such election, may, upon giving bond with a good and solvent corporate surety to secure the costs of the action, and in an amount approved by the Clerk of the Circuit Court of such county, file an ex parte petition in duplicate in the Circuit Court, stating in narrative form and in concise language the ground or grounds upon which such contest is based. No name shall be added to or voluntarily stricken from such ex parte petition after same shall have been filed. The Circuit Clerk shall forthwith post a copy of said ex parte petition at the court house door, and shall advertise the fact that same has been filed by causing to be published in a newspaper of general circulation in said county, city, town, district or precinct, as the case may be (if there be such a newspaper), at least once a week for two consecutive weeks next following the date of the filing of such petition, and daily if practical, a concise notice to the effect that such petition has been filed, the names of the voters filing same, and a brief statement of

the grounds for contest set forth in said petition, and by posting printed or typewritten copies of said newspaper advertisement, for at least ten days following the date of the filing of said petition in at least five conspicuous places in such county, city, town, district or precinct, as the case may be. If any legally qualified voter of such county, city, town, district or precinct, as the case may be, desires to oppose such election contest, he may within two weeks next following the date of the filing of such petition file in the office of the Circuit Clerk an intervening petition, in the nature of an answer, or such preliminary responsive pleading as may be appropriate, and thereafter the issues shall be made up and the case heard and determined as other election contest cases, with the same right of appeal by the unsuccessful party. No name shall be added to or voluntarily stricken from any such intervening petition in the nature of an answer or other appropriate preliminary responsive pleading after same shall have been filed. If no legally qualified voter shall within the time indicated thus oppose said contest the contestants' petition shall be heard and determined ex parte. If the contestants shall be unsuccessful the entire cost of the action shall be taxed against, and paid by them. If the contestants be successful, the costs of the contest shall be paid by the fiscal court of the county in which the contested election shall have been held, in the same manner and out of the same funds as the other costs and expenses of such election.

§ 2306. *Local Option Elections Not to be Held Oftener than Once Every Three Years.* No election under this title shall be held in any county, city, town, district or precinct, as the case may be, oftener than once every three years.

§ 2307. *Granting and Revocation of Licenses, Etc., to be Suspended Pending Time for Appeal from Result of Local Option Elections and Pending Determination of Such Appeal.* No liquor license shall be refused, granted or revoked, nor any regulations concerning liquor promulgated or enforced, by reason of the result of such election, until the time for fil-

ing a contest of such election shall have expired; and if a contest be filed, then not until same shall have been finally determined.

§ 2308. *Duty Imposed on All Enforcement Officers to Protect Dry Territory.* It shall be the duty of every law enforcement agency and officer of this Commonwealth and of each political subdivision thereof to use all the powers of his office to prevent the introduction of alcoholic beverages into and the use thereof in every county, city, town, district or precinct in this Commonwealth in which the traffic in alcoholic beverages shall have been prohibited under the local option provisions of this Act.

To Committee on Alcoholic Liquor Control.

By Mr. Garnett:

H. B. 411. An Act to amend, revise and re-enact Section 23 of Chapter 118 of the Acts of 1912, now Section 1020-23, Carroll's Kentucky Statutes, Baldwin's Revision of 1930, concerning courts having seven judges and relating to the appointment by the court of a commissioner and a receiver of said court, fixing the term and defining the duties of said officers; authorizing the court, subject to the conditions named, to transfer all duties of the receiver and all moneys and property held by him, as receiver, and all books and records of his office, to the commissioner of said court and thereby terminate the powers of the person then holding the office of receiver; defining the duties and obligations of the commissioner thereafter; and authorizing, in the court, certain powers and duties, therein named and defined, relating to said commissioner and to the duties, obligations and functions of said office of commissioner.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 23 of Chapter 118 of the Acts of 1912, now Section 1020-23 of Carroll's Kentucky Statutes, Baldwin's Revision 1930, be and the same is hereby amended, revised, and re-enacted, so that said section of said Act, when so amended, revised and re-enacted will read as follows:

(a) The regular judges at any general term of the court, any four concurring, shall, except as hereinafter provided, appoint a Commissioner and a Receiver of said Court, who shall hold their office during four years, unless removed, as they may be, at the pleasure of the court in general term, any four of the regular judges concurring.

The Commissioner shall discharge the duties and have the powers appertaining to the office of a Master in Chancery and as provided by law and the rules of the court.

The receiver shall receive, care for and deposit into court and shall disburse the same upon the orders of the court as provided by law and the rules of the court. Before entering upon the discharge of their duties the Commissioner and the Receiver shall appear in open court, execute bond according to law and take oath that they will honestly, impartially and to the best of their judgment discharge all the duties of their offices without favor or respect of persons, and render true and just reports and accounts of all their actions and doing as such.

(b) Provided, however, that if in the opinion of the court, in general term, the public interest will be subserved thereby, the court may by order in General Term, any four of the regular judges concurring, transfer to and require of the commissioner of said court the performance of all of the duties required of the then Receiver of said court by Section (a) of this Act and said Commissioner, shall thereupon have all of the powers, perform all of the duties, and have all of the obligations, now vested in, or required by law and the rules of said court of said Receiver, as well as those now so possessed by or required of the Commissioner of said court; and the entry

of such order shall immediately terminate the power and authority of any person theretofore appointed to and holding the office or position of Receiver of said Court, to act as such, and such person shall forthwith settle his accounts as provided by law and the rules or order of said court and turn over to said Commissioner all moneys and property in his hands as such Receiver, by virtue of his office, and all of the books, records and paraphernalia of his office. Said Commissioner shall not be held responsible for any moneys, property, books, records or paraphernalia theretofore actually or constructively received or held by said Receiver until the same actually comes into his hands as Commissioner. The court shall, by order in General Term, any four of the regular judges concurring, designate the depository, or depositories of all moneys and property paid or delivered into court or received by the Commissioner and, shall by like order or by rules of court adopted in like manner determine and designate the terms and conditions upon which said deposits shall be made and withdrawn by said Commissioner, and the manner of such withdrawals; and the interest, if any, earned on said deposits shall be collected by said Commissioner as, and become, a part of the fees of his office.

(c) The court shall, by rule adopted in General Term, any four of the regular judges concurring, specify the money and property which said Commissioner takes or receives in the performance of the duties formerly required by law and the rules of said court to be performed by the Receiver; and the Commissioner shall keep a separate account of said moneys or property and deposit the same in the depository or depositories designed by the court as herein provided, separately, and in a separate depository account, from the moneys or property received by him in the performance of his regular duties as Commissioner as defined by Section (a) of this Act, and said separate accounts shall be designated in such manner

as the court may, by like rule or order in General Term, direct, so as to clearly identify the same.

(d) When the duties of said Receiver are transferred by said court to said Commissioner as herein provided, the Commissioner shall forthwith appear in open court and take the oath required by law and shall execute bond, according to law, for the faithful performance of his regular duties as Commissioner, as defined by Section (a) of this Act; and, in addition thereto he shall execute a further separate bond for the faithful performance by him of said duties theretofore required by law of the Receiver, as set forth and defined by Section (a) of this Act; and the court may, in its discretion, by like order require any deputy of said Commissioner to execute a like bond, as such deputy. Each of said bonds shall be in such penal sum as the court by order in General Term any four of the regular judges concurring, may determine and fix and shall be executed with surety approved by the court by like order in General Term and shall be renewed annually, or oftener if required by the court, by like order, and the cost of such bonds, salaries and other expenses shall be allowed by the court as part of the expenses of said office, to be paid out of the receipts of said office of Commissioner and Receiver.

To Committee on Judicial Council.

By Mr. Garnett:

H. B. 412. An Act to amend and re-enact Section 186d-1 of the Kentucky Statutes (Carroll's 1934 Edition) relating to bonds of officers and fiduciaries, the Receiver and Commissioner of Counties having a population of over 200,000 inhabitants composing a separate judicial district, and having six circuit judges or more, and the sureties upon said bonds, and funds and their deposits secured by said bonds; and declaring an emergency to exist.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 186d-1, Carroll's 1934 Edition, 1933 Supplement, being Chapter 22, page 58, of the Acts of the General Assembly of the Commonwealth of Kentucky of 1934, be repealed, amended and re-enacted so that when amended and re-enacted, said section shall read as follows:

"186d-1. That the bond required by law to be executed and given by any State, County, City, School, or other public official, and by the Receiver and Commissioner of the Circuit Courts in counties having a population of 200,000 inhabitants or over, and composing a separate judicial district, and having six or more circuit judges, and the bond required by law of any depository of State, City, School, or other public funds, and the bond required by law of any depository of funds of the Receiver and Commissioner of the Circuit Courts in counties having a population of 200,000 inhabitants or over, and composing a separate judicial district and having six circuit judges or more, and the bond of any executor, administrator, guardian, committee, assignee, or other fiduciary, and any other bond required by law for the discharge or performance of any public or fiducial office, trust, or employment, shall be a covenant to the Commonwealth of Kentucky, from the principal and surety or sureties, that the principal will faithfully discharge the duties of the office, trust, or employment, and there shall be no other obligation in such bond; and such bonds shall be limited in a definite penal sum, which shall be determined and fixed by the officer or officers whose duty it is to approve the bond, and the recovery against the surety under any such bond shall be limited to the amount of the penalty named therein: Provided, that the bond of any executor, administrator, guardian, committee, assignee, or other fiduciary, and the bond of the Receiver and Commissioner of the Circuit Courts in counties having a population of 200,000 inhabitants or over, and composing a separate judicial district, and hav-

ing six circuit judges or more, shall be fixed in a penal sum of not less than the estimated value of the estate, and, provided, further, that the officer or officers taking any bond mentioned in this act, may at any time when it may appear to be to the interest of the obligee or obligees, increase the penal sum of such bond or require a renewal thereof with other or additional sureties, and, provided, further that all State, County, City, School and other public officials and executors, administrators, guardians, committees, assignees and other fiduciaries, and other persons required by law to give bonds for the discharge or performance of any public or fiducial office, trust, or employment, and the Receiver and Commissioner of the Circuit Courts in counties having a population of 200,000 inhabitants or over, and composing a separate judicial district, and having six circuit judges or more, are hereby expressly relieved from all liability as insurers of funds which come into their hands, or subject to their control after same shall have been deposited in good faith in a bank or banks, a depository or depositories in the county, approved by the Fiscal Court and "the duties of the office, trust, or employment" shall not include any responsibility for loss of, or delay in payment of, funds deposited in any bank by reason of the failure or suspension of such bank or other depository and the obligors in such bonds are hereby expressly relieved of such responsibility, having complied with this statute.

Whereas, many public officials and fiduciaries are required to execute bonds within a short time, and in many instances sureties are unwilling to execute such bonds until this statute, as amended, shall have gone into effect, and many of the public officials will be unable to secure bonds until the provisions of this statute as amended shall have gone into effect, an emergency is hereby declared to exist, and this act shall become effective from and after its passage and approval as required by law.

To Committee on Judicial Council.

By. Mr. Garnett:

H. B. 413. An Act to amend and re-enact Section 411 of Kentucky Statutes (Carroll's Edition 1934, relating to the selection and designation by the Circuit Courts of depositories; requiring bond with good surety to be given by depository in some counties, but eliminating the necessity of the depository executing a refunding bond insuring the funds deposited by Commissioners and Receivers of Circuit Courts in Counties having a population of 200,000 or over comprising a separate judicial district and having six, or more, circuit judges.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 411, Kentucky Statutes, Carroll's Edition 1930 (being Section 3, Chapter 257 of the Session Acts of 1893, which became a law July 7, 1893), be amended by adding thereto the following:

"PROVIDED, HOWEVER, That in counties having a population of over 200,000 inhabitants, composing a separate judicial district, and having six Circuit Judges or more, a majority of the judges of the Circuit Court in said county, sitting in General Term, may select and designate by order, a bank, State or National, as a place of deposit for moneys paid into the Circuit Court of said county, and said depositories, bank or banks, shall not be required to execute any bond conditioned to pay all or any moneys deposited by the Receiver or Commissioner of the court in said counties, upon any check drawn by them, or either of them, under order of Court."

So that said section as amended, will read as follows:

"Each Circuit Court may select and designate by order, one or more banks, State or National, as a place or places of deposit for moneys paid into court. Such bank or banks shall,

before receiving the deposit, execute bond, with good sureties, to be approved by the Court, in a penal sum to be fixed by the Court, payable to the Commonwealth, and conditioned to pay all moneys deposited by the Receiver or Commissioner upon any check drawn by him under order of court."

Provided, however, that in counties having a population of over 200,000 inhabitants, composing a separate judicial district, and having six Circuit Judges or more, a majority of the judges of the Circuit Court in said county, sitting in general term, may select and designate by order, one or more banks, State or National, as a place of deposit for moneys paid into the Circuit Court of said county and said depositories, bank or banks, shall not be required to execute any bond conditioned to pay all or any moneys deposited by the Receiver or Commissioner of the Court in said counties, upon any check drawn by them, or either of them, under order of Court."

All acts or parts of acts in conflict herewith are hereby expressly repealed.

This act shall take effect from and after its passage and approval by the Governor.

To Committee on Judicial Council.

By Mr. Tapp:

H. B. 414. An Act relating to duly licensed and practicing attorneys at law, and providing for compensation for said attorneys for legal services performed and rendered by them in representing paupers charged with the commission of felonies when said attorneys are ordered by the Circuit Court to so do; and providing that the amount of said compensation shall be determined and fixed by the Judge of the Circuit Court; and providing that the amount of said compensation shall be based upon the nature of the charge and the time and

expense consumed and incurred in preparing and trying the case; and providing that in no event shall the compensation be less than ten dollars ($10.00); and further providing that all awards so made shall constitute valid claims against the county wherein the indictment is returned; and providng for appeals to the Court of Appeals from said awards; and repealing all acts or parts of acts, and all laws or parts of laws in conflict herewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any practicing attorney at law, duly licensed under the laws of the Commonwealth of Kentucky, who shall, upon order of any Circuit Court, be required to and does in fact render and perform legal services in representing a pauper charged with the commission of a felony, shall be entitled to compensation therefor according to the value of the services rendered or performed by him.

§ 2. The amount of said compensation shall be determined and fixed by the presding judge of the Circuit Court that appointed said attorney to so do, consideration being given to the nature of the charge, and the amount of time and expenses consumed and incurred in the preparation and trial of the case. Provided, however, that in no event shall the amount be less than ten dollars ($10.00).

§ 3. Any and all amounts awarded by said judge shall be certified by the clerk of said court to the fiscal court of the county wherein the indictment was returned. And said amount shall constitute a valid claim against said county and shall be paid from the funds of said county.

§ 4. Whenever any fiscal court or any such attorney shall be aggrieved by the award so made, such aggrieved party may, within three days from the finding and entry thereof, object thereto and thereupon either or both parties may introduce evidence, either orally or by deposition, for the

purpose of establishing the excessiveness or inadequacy of said award. The ruling of said Circuit Court upon the objections to the award shall be final for the purposes of appeal and the aggrieved party may thereupon prosecute an appeal to the Court of Appeals; in all such appeals the appellee shall be the judge of the Circuit Court who made or refused to make said award.

§ 5. If any provision of the Act is declared invalid, it shall not affect the other provisions hereof.

§ 6. All Acts or parts of Acts, and all laws or parts of laws in conflict herewith are hereby repealed.

To Committee on Circuit Courts.

By Mr. Wylie:

H. B. 415. An Act to repeal and re-enact Section 237 of the Kentucky Criminal Code relating to separate trials for defendants jointly indicted for a felony.

Said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 237 of Kentucky Criminal Code be, and the same is hereby repealed and re-enacted so that said section as repealed and re-enacted shall read as follows:

Where two or more defendants are jointly charged with any offense, whether felony or misdemeanor, they shall be tried jointly unless the court in its discretion on the motion of the prosecuting attorney or any defendant orders separate trials. In ordering separate trials, the court may order that one or more defendants be each separately tried and that the others jointly tried, or may order that several defendants be jointly tried in one trial and the others jointly tried in another trial or trials, or may order that each defendant be separately tried.

This Act shall become effective upon its passage and approval as required by law.

All laws or parts of laws in conflict herewith are hereby repealed.

To Committee on Codes of Practice.

By Mr. Mollettee:

H. B. 416. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky a road in Johnson County, Kentucky, known as the Paint Creek road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of public roads of the Commonwealth of Kentucky, a road, beginning at the Mayo Trail at the Barnetts Creek bridge and following Big Paint Creek to the head of same to the county line by way of the old road. To be known as Project No. .....

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

To Committee on Roads and Highways No. 2.

By Mr. Mollette:

H. B. 417. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky, a

road in Johnson County, Kentucky, known as the White House road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of public roads of the Commonwealth of Kentucky, a road beginning on top of the hill on the Garrett Highway at the head of Lick Creek and following the old road down White House Creek to the mouth at the river, thence up the river to White House town.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

To Committee on Roads and Highways No. 2.

By Mr. Mollette:

H. B. 418. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky, a road in Martin County, Kentucky, known as the Rock House road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of public roads of the Commonwealth of Kentucky, a road beginning at the Garrett Highway where it crosses Rock House Creek near Grover Cline's farm, thence, down Rock House Creek by way of old road to the county line near Richardson.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

To Committee on Roads and Highways No. 2.

By Mr. Mollette:

H. B. 419. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky, a road in Martin County, Kentucky, known as the Upper Middle Fork Road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part a part of the primary system of public roads of the Commonwealth of Kentucky, a road beginning at Inez, Martin County, Kentucky, at the Garrett Highway and following the Middle Fork of Rock Castle Creek up to head of same to the Floyd County line.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

To Committee on Roads and Highways No. 2.

By Mr. Mollette:

H. B. 420. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky,

a road in Johnson County, Kentucky, known as the Greasy and John's Creek road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of public roads of the Commonwealth of Kentucky, a road, beginning at the Garrett Highway at the mouth of Lick Branch, Johnson County, Kentucky, thence up Greasy Creek to the head, thence across hill to Daniel's Creek, thence down Daniel's Creek to mouth of John's Creek, thence, down John's Creek to the Richmond Hill, thence across Richmond Hill to Miller's Creek, thence down Miller's Creek to mouth at the river, thence across river and down same to intersect with the Mayo Trail to Van Lear Junction.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

To Committee on Roads and Highways No. 2.

By Mr. Mollette:

H. B. 421. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky, a road in Martin County, Kentucky, known as the Lower Middle Fork road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary

system of public roads of the Commonwealth of Kentucky, a road beginning at Inez, Kentucky, Martin County, at the Garrett Highway following the Middle Fork of Rock Castle Creek down to the mouth of same to the county line.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

To Committee on Roads and Highways No. 2.

By Mr. Mollette:

H. B. 422. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky, a road in Martin County, Kentucky, known as the Wolf Creek road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of public roads of the Commonwealth of Kentucky, a road, beginning at the bridge where is crosses Tug River on the Garrett Highway opposite Kermit, W. Va., thence up the river to the mouth of Wolf Creek, thence up Wolf Creek to the head and on to the county line.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

To Committee on Roads and Highways No. 2.

By Mr. Mollette:

H. B. 423. An Act establishing a road of the primary system of the state highways, a road beginning near Hager Hill on the Mayo Trail in Johnson County, Kentucky, known as the Jennie's Creek road to the mouth of Middle Fork of Jennie's Creek, thence up same to the head, thence across to main Jennie's Creek, and up same to head and on to the county line to intersect with roads in Magoffin County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road beginning near Hager Hill on the Mayo Trail in Johnson County, Kentucky, known as the Jennie's Creek road, to the mouth of Middle Fork of Jennie's Creek, thence up same to the head, thence across to main Jennie's Creek, and up same to head and on to the county line to intersect with road in Magoffin County, Kentucky.

That the construction, maintenance, supervision and control of said road shall be subject to and controlled by provisions of Chapter 17, of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

To Committee on Roads and Highways No. 2.

B. Mr. Hunnicutt:

H. B. 424. An Act giving the consent of the Commonwealth of Kentucky to the acquisition by the United States,

under any act of the Federal Congress, of such lands as may be needed for the establishment of a national forest reserve within the boundaries of said Commonwealth, either to be permanently retained and maintained by the Federal Government, or eventually to be turned over to the Commonwealth under the terms of the particular Federal statute under which they were established.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the consent of the Commonwealth of Kentucky is hereby given to the acquisition by the United States Government, by purchase or gift, or by condemnation according to law of such lands within the boundaries of the Commonwealth as in the opinion of the Federal Government may be needed for the establishment of national forest reserves within prescribed areas within the boundaries of the Commonwealth: Provided, that the written approval and consent of the Governor of this Commonwealth shall be given as to the area of lands so acquired by the Federal Government, and which shall be evidenced of record in his office before such establishment; and, provided further, that the Commonwealth shall retain a concurrent jurisdiction with the United States in and over such lands so far that civil process in all cases, and such criminal process as may issue under the authority of the Commonwealth against any person charged with the commission of any crime without or within said jurisdiction, may be executed in like manner as if this Act had not been passed.

§ When such forest reserves are established by the Federal Government as herein provided, either under existing Federal statutes or any that might be hereinafter enacted, then consent of this Commonwealth is hereby given for the Congress of the United States to pass such laws and to make or provide for the making of such rules and regulations, of

both civil and criminal nature, and provide punishment therefor, as in its judgment may be necessary for the management, control and protection of such land as may be, from time to time, acquired by the United States under the provisions of this Act.

To Committee on State and National Parks.

By Mr. Holbrook:

H. B. 425. An Act to repeal Chapter 139, of the Acts of 1934 relating to Barbers and Beauticians.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 139, Acts of 1934, relating to barbers and beauticians be, and the same is now and hereby repealed.

To Committee on Public Health No. 1.

By Mr. Hunnicutt:

H. B. 426. An Act to amend Section 13 of the Act to further regulate motor trucks, semi-trailer trucks, semi-trailers and trailers, to enlarge powers of the State Highway Commission, County Courts, and cities and incorporated towns in respect thereof, to provide for enforcement of the act and penalties for violation thereof, and repealing all laws inconsistent therewith, being Chapter 106 of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1932.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 13 of the Act to further regulate

motor trucks, semi-trailer trucks, semi-trailers and trailers, to enlarge powers of the State Highway Commission, County Courts and cities and incorporated towns in respect thereof, to provide for enforcement of the Act and penalties for violation thereof, and repealing all laws inconsistent therewith, being Chapter 106 of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1932, be and the same is hereby amended and re-enacted so that when amended and re-enacted it shall read as follows:

(Exemptions.) Section Thirteen. (a) The provisions of this act shall not apply to motor trucks, semi-trailer trucks or trailers, owned by, or by any agency of the United States, the Commonwealth of Kentucky, or any county or city or incorporated town therein.

(b) If any motor-truck, semi-trailer truck or trailer shall be licensed by any city or incorporated town in this State, and the registration plate or plates issued as evidence of said license shall be conspicuously exhibited on said motor truck, semi-trailer truck or trailer in the manner required by ordinance, the provisions of Sections Two, Three, Four, Five, Six, Eight, Nine, Ten and Eleven hereof shall not apply to the operation of such motor truck, semi-trailer truck or trailer, within the limits of the city or incorporated town issuing such license, or within ten miles of the limits thereof, if it be a city of the first, second, third or fourth class, or within five miles of the limits thereof, if it be a town of the fifth or sixth class. Provided, that all cities and incorporated towns are hereby empowered to provide by ordinance maximum limits with respect to weight, height, width and length of motor trucks, semi-trailer trucks and trailers within their respective boundaries, not less, however, than the maximum limits prescribed in Sections Three, Four, Five and Six hereof, to authorize the operation of trailers, therein, to impose license taxes on motor trucks, truck tractors, semi-trailers and trailers, to authorize the operation of motor trucks without the use of governors thereon, and to regulate and prescribe how lights shall be af-

fixed to motor trucks, semi-trailer trucks and trailers and to require that vehicles, to which such licenses shall be issued, shall affix the registration plate or plates, issued as evidence of said licenses to said vehicles, in some conspicuous place to be prescribed by ordinace.

(c) The Commission is hereby authorized to prescribe by orders of general application, rules and regulations for the isuance of it of permits for the operation of motor trucks, tractors, semi-trailer and trailer, whose gross weight including load, height, width or length may exceed the limits prescribed by Sections Three, Four, Five and Six hereof, or which in other respects fail to comply with the requirements of this act. Said permits may be issued by said Commissioner for stated periods and for special purposes and to meet unusual conditions, and upon such terms and conditions in the interest of public safety and the preservation of the highways as the Commission may, in its discretion, require. Said Commission shall require, as a condition to the issuance of such permit, that the applicant pay a reasonable fee therefor to be fixed by the Commission, and may require that the applicant give bond, with approved surety, to indemnify the State, and/or the counties thereof, against damage to roads or bridges resulting from the use thereof by the applicant. The operation of motor trucks, tractors, semi-trailers or trailers, in accordance with the terms of any permit shall not constitute a violation of this Act, provided the operator thereof shall have said permit, or a copy thereof, authenticated as the Commission may require in his possession. The operation of any motor truck, tractor, semi-trailer or trailer, in violation of the terms of any such permit, shall constitute a violation of this Act.

(d) The limitations herein prescribed by Section Three shall not apply, prior to January first, nineteen hundred and thirty-three, to any motor truck or semi-trailer truck which shall have been registered and shall have paid the annual registration fee as provided by the law of this State, before

the date upon which this act shall be approved by the Governor, or before the date, this act shall become a law without the approval of the Governor, but shall, as to such vehicles, be and become in full force and effect on and after January first, nineteen hundred and thirty-three.

To Committee on Motor Transportation.

By Mr. McCarthy and Mr. Ramey:

H. B. 427. An Act to provide old age assistance (pensions); to prescribe qualifications and eligibility of persons entitled to same; to provide for the reimbursement by the Federal government of fifty per sent (50%) of all amounts granted and expended under the terms of this Act; to provide for the establishment of a division of assistance and pensions in and by the Department of Public Welfare for the administration of this Act; to provide for the personnel of said division of assistance and pensions, and for the salaries thereof; and to provide for the repeal of all laws or parts of laws in conflict herewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. *Persons eligible to receive old age assistance.*—Old age assistance shall be given under this Act beginning July 1, 1936, to any person who

(a) Has attained the age of sixty-five (65) years;

(b) Has income which, with contributions, money, subsistence, or service from relatives or others, is inadequate to provide a reasonable subsistence;

(c) Is a citizen of the United States;

(d) Has been a resident of the State of Kentucky continuously for one year immediately preceding the date on which application is made for old age assistance, and for

at least five of the nine years immediately preceding his application;

(e) Is not at the time of receiving assistance an inmate of any public or private institution, except in the case of temporary medical or surgical care in a hospital;

(f) Has not made a voluntary assignment or transfer of property for the purpose of qualifying for such assistance, except as hereinafter provided; and

(g) Is not because of his physical or mental condition in need of continued institutional care.

§ 2. *Amount of assistance.*—It shall be the duty of the State agency administering this Act to provide a reasonable subsistence for those eligible for old age assistance under this Act. The amount of old age assistance to any such person shall be determined by the State agency, with due regard to the conditions existing in each case, and subject to the rules and regulations and standards to be devised and set up by the Department of Public Welfare; but in no case shall the amount awarded any individual exceed the sum of fifteen dollars ($15.00) per month.

§ 3. *Application.*—Any eligible person may request old age assistance, and he shall make his application to the State agency in writing, upon standard forms prescribed by the agency. An inmate of a public or private institution may make application while in such institution, but the assistance, if granted, shall not be paid the applicant until after he has ceased to be an inmate of such institution.

§ 4. *Administration.*—There is hereby created in the Department of Public Welfare a division to be known as the division of assistance, which shall be in charge of and conducted by a director, appointed by the Governor of the State for a term of four years, but may be removed by the Governor at any time at his pleasure. The salary of the said director shall be three thousand six hundred dollars ($3,600.00) per annum. The director shall appoint such assistants, in-

vestigators, and clerical help as are necessary to properly administer this Act; and he shall fix the terms of employment and the compensation of such appointees; provided, such appointments, terms, and salaries shall be subject to the approval of the Governor. The Department of Public Welfare shall prescribe the form of, and print and supply the blanks for applications, reports, affidavits and such other forms as it may deem necessary and advisable. The Department of Public Welfare shall make rules and regulations for determining or establishing the date of birth or age of all applicants for assistance, for determining the need for assistance of all applicants, and for further carrying out the provisions of this Act, and shall determine and fix the amount of assistance to be granted, which in no case shall exceed fifteen dollars ($15.00) per month. The amount of assistance granted any applicant may be changed or discontinued at any time upon investigation of the need for such assistance. This Act shall be administered uniformly throughout the State, with due regard for the varying costs of living in different parts of the State; but there shall be no discrimination between applicants as to amounts granted, except as based on the varying costs of living in different parts of the State. The director of the division of public assistance and all official representatives of the division are hereby authorized to administer oath to any person questioned for the purpose of determining the eligibility for assistance of applicant.

§ 5. *Investigation of applicants.*—Whenever an application for old age assistance is received, an investigation and record shall be promptly made of the circumstances of the applicant to ascertain the facts supporting the application and to secure such other information as may be required by the rules and regulations prescribed by the Department of Public Welfare.

§ 6. *Granting of assistance.*—Upon the completion of such investigation the Department of Public Welfare shall decide whether the applicant is eligible for old age assistance

under this Act, the amount of such assistance, and the date on which payment shall begin. It shall notify the applicant, in writing, of the decision regarding his application; and, if any applicant is denied assistance or is awarded an amount deemed by him inadequate, he may appeal to the Department of Finance and Budgetary Control. All awards of assistance made by the Department of Public Welfare shall at all times be subject to review by the Department of Finance and Budgetary Control, and any recommendations made by the Department of Finance and Budgetary Control shall be made effective by the Department of Public Welfare.

§ 7. *Recipient not to receive other public assistance.*—No person receiving old age assistance under this Act shall at the same time receive any other relief from the State or from any political subdivision thereof, except for medical and surgical purposes.

§ 8. *Payment to guardian.*—If any person receiving old age assistance, on the testimonial evidence of witnesses, is found incapable of taking care of himself or his money, payment of the installments of assistance may be made to any responsible person for his benefit.

§ 9. *Discontinuance of payments.*—Payments of assistance granted under this Act shall immediately be ceased on the death of a recipient, or on his removal of domicile from this State.

§ 10. *Assignment of assistance.*—All assistance given under this Act shall be inalienable by any assignment or transfer, and shall be exempt from levy or execution under the laws of the State.

§ 11. *Claims against the estate of assisted person.*—The total amount paid to any recipient of old age assistance under this Act shall constitute a lien upon the estate of such recipient. On the death of a person receiving assistance under this Act, or of the survivor of a married couple, both of whom were assisted, the total amount paid as assistance, with

interest, shall be allowed and deducted from the estate by the court having jurisdiction to settle the estate, and paid to the State. The Department of Public Welfare shall require, as a condition to granting assistance in any case, that the applicant submit a properly acknowledged agreement to reimburse the State for all assistance granted. At any time the Department of Public Welfare may execute and file with the clerk of the probate court a certificate, in form to be prescribed by the Department of Public Welfare, showing the amount of assistance paid to said person. When so filed each certificate shall be a legal claim against both the said person and his estate and shall have the same force and effect as a judgment at law.

§ 12. *Assistance; how paid.*—The Department of Public Welfare, on or before the first day of each month, shall certify to the Auditor of Public Accounts the amount due and payable to each person who has been granted old age assistance, and the Auditor shall cause to be issued warrant on the State Treasurer for the amount so certified. All moneys awarded and payable under the provisions of this Act shall be paid from funds appropriated by the General Assembly in its biennial appropriation Act. The General Assembly shall also appropriate such sum as it deems necessary for the expenses of adminstering this Act.

§ 13. *Fraudulent acts.*—Any person who by means of a willfully false statement or representation, by impersonation, or by other fraudulent device not named herein, obtains, attempts to obtain, or aids or abets any person to obtain: (a) assistance to which he is not entitled; (b) greater assistance than that to which he is justly entitled; (c) payment of any forfeited installment grant; or (d) disposal of the property of the recipient of assistance without the consent of the Department of Public Welfare shall be guilty of a misdemeanor, and fined not less than fifty dollars ($50.00) nor more than five hundred dollars ($500.00).

§ 14. *Federal participation.*—The Department of Public Welfare is hereby authorized and directed to make to the Federal Government such reports as may be required of it, and the Department of Public Welfare shall make application to the Federal Government, at such time and in such manner as is prescribed in the Federal Social Security Act and the rules and regulations thereunder, for such amounts of money as are provided in the Social Security Act for aiding states to grant old age assistance. All moneys thus received from the Federal Government shall be covered into the State Treasury and used solely for paying of old age assistance, except that such amounts as are provided by the Federal Government for the purpose of defraying the expense of carrying out this Act shall be employed and expended solely for that purpose.

§ 15. *Provisions severable.*—The provisions of this Act are severable. If any provision hereof or the application of any provision to any situation or person is declared unconstitutional or otherwise invalid, such declaration shall not impair the validity or affect the operation of any other provision or of its application.

§ 16. *Repealing clause.*—All laws or parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

To Committee on Kentucky Statutes No. 1.

By Mr. Lee:

H. B. 428. An Act relating to engaging in the business of undertaking, repealing, amending and re-enacting subsection 3, of Section 1599a-8a, Chapter 42a, Carroll's Kentucky Statutes, 1930 Edition.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That subsection 3, of Section 1599a-8a, Chapter 42a, Carroll's Kentucky Statutes, 1930 Edition, be repealed, amended and re-enacted so that said section will read as follows:

That on and after the first day of July, 1914, it shall be unlawful for any person not a registered undertaker to engage in the practice or business of an undertaker unless said person is a registered undertaker within the meaning of this Act as amended (1904, c. 89, p. 189, amended 1914, c. 88, p. 454, s. 8; 1924, c. 102, p. 180).

Any registered undertaker within the meaning of this Act may own, maintain and operate a branch of such business in another town or city within this State within a radius of fifty (50) miles from the location of his main business, provided such town or city does not have a licensed undertaker doing business therein at the time of opening said branch business.

All laws and parts of laws in conflict herewith are hereby repealed.

To Committee on Public Health No. 2.

By Mr. O'Neill:

H. B. 429. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point near Morehead schoolhouse in Muhlenberg County, Kentucky, and running to Bethel church and intersecting the old Greenville-Bremen road at that point, being approximately three miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a

part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point near Morehead Schoolhouse in Muhlenberg County, Kentucky, and running to Bethel church and intersecting the old Greenville-Bremen road at that point, being approximately three miles.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission, and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

To Committee on Roads and Highways No. 2.

By Mr. O'Neill:

H. B. 430. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway No. 62 at or near John Coleman's property in Muhlenberg County, Kentucky, and running to a point on the Bancroft-Hopkinsville road at or near the Will Gary place in Muhlenberg County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway No. 62, at or near the John Coleman property in Muhlenberg County, Kentucky, and running to a point on the Bancroft-Hopkinsville road at or near the Will Gary place in Muhlenberg County, Kentucky.

§ 2. The road now established as a part of the primary

system of highways of the Comonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission, and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

To Committee on Roads and Highways No. 2.

By Mr. O'Neill:

H. B. 431. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point near Thomas's Store in Muhlenberg County, Kentucky, and running along the Sacramento-White Plains road to a point where the Sacramento-White Plains road now intersects the Madisonville-Central City highway in Muhlenberg County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point near Thomas's Store in Muhlenberg County, Kentucky, and running along the Sacramento-White Plains road to a point where the Sacramento-White Plains road now intersects the Madisonville-Central City highway in Muhlenberg County, Kentucky.

§ 2. That the road now established as part of the primary system of highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission, and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

To Committee on Roads and Highways No. 2.

By Mr. O'Neill:

H. B. 432. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway No. 79 in Muhlenberg County, Kentucky, near Woodland Church and running by way of Myers Chapel and Schoolhouse to a point on Highway No. 81 in Muhlenberg County, Kentucky, at Dunmor, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway No. 79 in Muhlenberg County, Kentucky, near Woodland Church and running by the way of Myers Chapel and schoolhouse to a point on Highway No. 81 in Muhlenberg County, Kentucky, at Dunmor.

§ 2. That the road now established as part of the primary system of highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission, and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

To Committee on Roads and Highways No. 2.

By same:

H. B. 433. An Act creating and establishing a spart of the primary system of highways of the Commonwealth of

Kentucky a road beginning at a point on Highway No. 62 at H. W. Oates's Store in Muhlenberg County, Kentucky, running by way of Thomas's Store, thence to a point on the Central City-Madisonville Highway at a point near Frank Martin's farm.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway No. 62 at G. W. Oates's store in Muhlenberg County, Kentucky, running by way of Thomas's store, thence to a point on the Central City-Madisonville Highway at a point near Frank Martin's farm, approximately six miles.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission, and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

To Committee on Roads and Highways No. 2.

By Mr. O'Neill:

H. B. 434. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point near Weir on Highway No 181 in Muhlenberg County, Kentucky, and running to or near the old Buckner homestead, thence intersecting Highway No. 79 at or near Carter's Creek church, thence from Carter's Creek church to Beech Creek in Muhlenberg County, Kentucky, and intersecting the Beech Creek-Ebenezer road, Proj-

ect 406, and shall be designated as the "Buckner-Buel Highway".

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point near Weir on Highway No. 181 in Muhlenberg County, Kentucky, and running to or near the old Buckner homestead, thence intersecting Highway No. 79 at or near Carter's Creek Church, thence to Beech Creek in Muhlenberg County, Kentucky, and intersecting the Beech Creek-Ebenezer road, Project 406; and that said road shall be designated as the "Buckner-Buel Highway".

§ 2. The road now established as part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

To Committee on Roads and Highways No. 2.

By same:

H. B. 435. An Act to amend and re-enact Section 2738r-1, Carroll's Kentucky Statutes, Baldwin's revision of 1930, providing for time of payment and medium of payment for mining employees.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Subsection 2738r-1 of Carroll's Kentucky Statutes, Edition of 1930, be and the same is hereby amended

and re-enacted so that when so amended and re-enacted the said act shall read as follows:

"That all persons, associations, companies and corporations employing the services of ten or more persons in any mining work or mining industry in this Commonwealth, shall, at least once each week, pay to each servant or employee, in lawful money of the United States, the full amount of wages due each such servant or employee rendering such service, unless prevented by an unavoidable casualty: Provided, however, that if at any time of payment any servant or employee shall be absent from his place of labor, he shall be entitled to such payment at any time thereafter on demand.

To Committee on Mines and Mining.

By Mr. Conway:

H. B. 436. An Act making it unlawful for any person to take or carry away any property of a hotel, restaurant, cafeteria or roadhouse with intent to defraud, and fixing penalty therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Any person who shall knowingly and with intent to defraud, take and carry away towels, linens, bedding, fixtures, equipment or other property of any hotel, restaurant, cafeteria or roadhouse, shall be guilty of a felony, and upon conviction shall be punished by confinement in the state reformatory for not less than one year nor more than two years.

All laws or parts of laws in conflict herewith are hereby repealed.

To Committee on Kentucky Statutes No. 2.

By Mr. Conway:

H. B. 437. An Act providing for the formation and conduct of burial associations among the employees of one employer.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Employees of one employer may organize a burial association and incorporate the same under the provisions of the statute permitting incorporation of charitable and nonprofit corporations; and such burial association when so organized may adopt reasonable rules and regulations governing their affairs, and provide for the collection of dues and the payment of benefits.

§ 2. The principal fiscal officer of such association shall give bond in the county court of the county where such association operates, which bond is to be approved by the county court and entered of record; and said bond shall be renewed not less than once every four years, and as often as may reasonably be required by the court or on motion of any member on proper showing.

§ 3. Any such burial association may be dissolved after three months notice posted in public places about the employer's premises where the members have full reasonable opportunity to see same; and only at a meeting held at the anniversary of the articles or at a regular annual meeting as provided in the articles or by-laws; and on such dissolution, surplus funds remaining shall be distributed to the membership in the proportion to the contributions of the members during the two-year period just prior to such dissolution.

§ 4. All acts or parts of acts in conflict herewith are hereby repealed.

To Committee on Public Health No. 1.

By Mr. Munford:

H. B. 438. An Act relating to the State primary system of highways in the Commonwealth of Kentucky:

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the State Highways of the Commonwealth of Kentucky a road beginning at a point on U. S. Highway 60 between Morganfield and Flournoy at a point at or near Higginson's Crossing, continuing to and across the Waverly and Boxville road at or near Liberty Church and thence to a point on the road from Herman to Russell's store.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of state highways as provided therein.

To Committee on Roads and Highways No. 2.

By Mr. Grogan:

H. B. 439. An Act repealing Section 855 of Carroll's Kentucky Statutes and re-enacting said act by prohibiting the payment of any compensation for the promotion or sale of memberships or shares in a building and loan association, and prohibiting the issuing or transferring of any form of certificate except actual stock certificates, and prohibiting the operation of any building and loan association except under the provisions of the acts relating to building and loan associations in the State of Kentucky; repealing Section 856a of Carroll's Kentucky Statutes and re-enacting same by providing

for the kinds of stock and method of transfer of shares in building and loan associations; to repeal and re-enact Section 865a of the Kentucky Statutes providing for the investment of funds of building and loan associations; repealing Sections 868a and 868b of the Kentucky Statutes and re-enacting same, said sections providing for a contingent or reserve fund and for holding of real estate acquiring by building and loan associations; to amend Section 873 of Carroll's Kentucky Statutes by enacting a section known as Section 873-6 providing for the conversion of Federal Savings and Loan Associations to a State Building and Loan Association; and fixing penalties for the violation of the act; providing for the acceptance of the provisions of this act by existing associations, and repealing all acts in conflict therewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 855a-1. It shall be unlawful for any domestic or foreign building and loan association operating under the laws of this Commonwealth to pay directly or indirectly any compensation for the promotion of the organization of an association, or for the solicitation or sale of membership in or shares of an association, or for the procuring of loans. This prohibition shall not be construed to include reasonable counsel fees paid or agreed to be paid to an attorney at law for legal services rendered, other than promotion services.

Section 855b. It shall be unlawful for any domestic or foreign building and loan association to sell or permit to be sold, to issue or cause to be issued, to resell or permit to be resold, or transfer upon its records any form of certificate except bona fide certificates evidencing the purchase of shares of stock in an association. Upon the violation of this provision the officers and directors of the association shall be jointly and severally liable to the holder of such certificate in

an amount equal to the amount paid for such certificate, and all cost, including reasonable attorney's fees, in the enforcement of their liability.

Section 855c. It shall be unlawful for any building and loan association recognized under the provision of this act to transact its business in any other manner than herein provided, or to engage in any other business, and any violation of the provisions of this section shall be punished by a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00). Each day shall be deemed a separate offense.

Provided, however, that corporations, associations or organizations organized under the laws of this state or any other state and now engaged in the building and loan business in this state, shall within sixty days after this act becomes a law file with the banking commission a copy of a resolution duly adopted by its board of directors and certified by its secretary accepting the provisions of this act and electing to operate thereunder and immediately the said association, corporation or organization shall be considered a building and loan association duly organized, created and existing under this act and subject to all provisions thereof. Such resolution or a certified copy thereof shall be evidence for and against such corporation.

That Section 855 of Carroll's Kentucky Statutes and all acts or parts of acts in conflict herewith be and the same are hereby repealed.

Section 856a. That a building and loan association may issue shares upon which payments shall be made at stated periods until the share reaches the ultimate value fixed by the articles of incorporation or is withdrawn, canceled or forfeited. Payments on such shares shall commence from date of issuance and if in a series shall commence from its issue, but all shares shall share equally in the profits.

Optional Savings Shares may be issued from time to time as subscribed, and payments shall be made thereon at the

option of the subscriber, his successors, or assigns until the payments and the dividends credited thereon are equivalent to the par value of the shares subscribed.

An association may issue Paid-Up Shares (those shares which are paid in full at time of issuance), in even shares, or in fractional shares, or may convert shares matured or partly matured into paid-up shares, and restrict paid-up shares to a less rate of dividend than installment or optional shares, but shares so restricted shall state on the face of the certificate of stock issued the restricted rate of dividend. Certificates, pass books or other written evidence of the terms under which payments are made shall be issued to each shareholder on the first payment of dues by him, and the amounts paid shall be credited thereon.

Each share shall be subject to a lien for the payment of the loans which are advanced to the holder of same.

All shares which have matured or which shall have been canceled, withdrawn or retired may be reissued as of subsequent date or series. All shares heretofore issued by any association upon which installments have been paid in advance together with the dividends allowed or paid thereon, are hereby legalized and validated.

Section 865a. That subject to the provisions of this act any building and loan association may invest the funds received by it as follows:

1. In loans to its members only.

(a) Upon their notes secured by the transfer and pledge to the association of installment shares having a matured value at least equal to the amount of such loans and further secured by a first lien mortgage upon improved real estate.

(b) Upon the direct reduction plan to members who have subscribed for one or more shares of stock, which shares may have a matured value less than the amount of such loan, and which loans are secured by first lien upon improved real estate payable in periodic installments sufficient to amortise the sum by the payment of interest and principal in not less

than five, or more than twenty years, as may be agreed upon between the member and the association. The association shall take a note, bond or other instrument legally sufficient to represent the indebtedness of the borrower, which shall require a periodic payment sufficient to amortise the debt in the period fixed. Such payments shall be applied first to the interest on the unpaid balance of the debt, and the remainder to the unpaid principal, until the loan is paid in full. Provided, further, that if an applicant for a loan is not a member of the association at the time, he shall become a member simultaneously with the making and closing of the loan by subscribing to at least one share of stock which shall be pledged as additional security for the loan. Provided, further, making loans of this class shall not affect the mutuality of Building and Loan associations licensed to do business in the State of Kentucky, and members who have secured direct reduction loans shall have the same powers and liabilities as other members.

(c) Upon notes secured by the transfer and pledge to the association of its unpledged shares, no such loan or loans to exceed in any event an amount equal to 80% of the withdrawal value of such shares pledged for security.

(d) As advances for the payment of insurance premiums and taxes that may accrue upon real estate that is security for loans to members. The association may carry such advances as an asset of the association and it shall have a good and valid lien against real estate and pledged shares of the member to secure the payment of funds so advanced.

(e) Any such notes and mortgages taken by any such association from its members shall be deemed conditioned upon the performance of this article and the by-laws of the association relating to the payment of loans, premiums, fines, interest, dues and fees of any and all kinds, although the same may not be fully expressed therein.

2. In real property as follows:

(a) A plot whereon there is or may be erected a building

or buildings suitable for the convenient transaction of its business, from portions of which, not required for its own use, a revenue may be derived.

(b) Such as shall be conveyed to it in satisfaction of obligations previously contracted in the course of its business.

(c) Such as it shall purchase at sales under judgments, decrees or mortgages held by it.

3. In shares of a Federal Home Loan Bank of the United States.

4. In lawfully issued obligations of the Federal Home Loan Bank system.

5. In lawfully issued obligations of the Home Owners Loan Corporation organized by and under the control of the Federal Home Loan Bank Board of the United States.

6. If at any time it has funds in excess of the amount needed for loans to its members and the payment of matured shares and withdrawals:

(a) In such securities as are authorized as investments for savings banks and savings departments of State banks of this State.

(b) On loans to other savings and loan associations of this State, such loans to be made only when approved by the Commissioner.

(c) In shares of other Building and Loan Associations of this State, providing that the aggregate investments of the association in the shares of other associations shall never exceed 10 per centum of its liability to its own shareholders and provided further that the amount of the investment by an association in the shares of another association shall not be in excess of 1% of the resources of the association in which the investment is made.

7. The aggregate amount of funds invested by such association under Section 2a of this section shall not exceed 5% of the gross resources or assets of the association.

8. A reasonable amount in furniture and fixtures against which must be charged an annual depreciation.

9. Nothing herein shall be construed as preventing or restricting the deposit of cash funds of the association with any state or national banking association or with the Federal Home Loan Bank in which such association holds membership.

10. From and after the date of passage of this Act, at least 80% of the funds invested by every association in this State shall be invested in loans secured by first mortgages upon real estate upon which there is located a dwelling for not more than four families.

11. To make application for and secure and maintain insurance of share accounts and mortgages.

Section 865a of Carroll's Kentucky Statutes and all laws in conflict herewith are hereby repealed.

Section 868a. Every building and loan association shall set aside from the net profits at least two per cent thereof each year as a sinking fund to provide against contingent losses until the total amount of the fund so set aside shall equal five (5) per cent of the assets of such association, but this sinking fund shall in no case exceed ten per centum of the assets of the association.

Provided, further, that any and all losses from sale of real estate may be charged against this fund, and in the event of any such charges, then any and all profits from sale of real estate, to the extent of losses charged, be credited to said fund.

Section 868b. The restrictions imposed by this or any other Legislative Act shall not be construed to prevent an association, in order to protect itself from a loss upon a loan, from acquiring ownership of, or otherwise taking and holding any kind of property or security, whether real or personal, and any real estate so acquired shall lawfully and properly be held and leased for such a period of time, which may extend beyond five years from the time of acquiring same, as the Board of Directors of the association may deem necessary to hold and lease in order to prevent a loss to the association or its members in the conduct of its business, and the holding of

real estate so acquired is hereby declared to be proper and necessary for carrying on its legitimate business.

That Sections 868a and 868b of Carroll's Kentucky Statutes and all laws in conflict therewith are hereby repealed.

That Section 873 of Carroll's Kentucky Statutes be amended by adding a paragraph thereto to be known as Section 873-6.

Section 873-6. Any Federal Savings and Loan Association with principal offices in this State organized pursuant to an act of Congress entitled Home Owners' Loan Act of 1933, may be converted into an association incorporated under the laws of this State by an affirmative vote of the shareholders in person or by proxy owning or holding not less than fifty-one (51) per centum of the outstanding shares of such association. Provided, that at least thirty (30) days before any meeting of the shareholders called for the purpose of voting on the question of conversion, written notice to each shareholder shall be served either personally or by mail, postage prepaid directed to him at his last recorded address, which shall contain a statement of the time, place and purpose for which such meeting is called; provided, that previous to such meeting the Commissioner shall, after appropriate examination find that such Federal Savings and Loan Association is found to have all of the requirements of existing law to entitle it to become a State association. Provided, further, that said Commissioner may prescribe terms and conditions upon which such conversion shall be made to bring the association into conformity with State requirements either prior or subsequent within a reasonable time. Provided, further, that the Commissioner may make rules and regulations for the ultimate consummation of such conversion and upon fulfilling the provisions hereinbefore mentioned, the Commissioner shall issue a certificate in the form provided for articles of incorporation, of the complete conversion of the association, duly authenticated under his hand and seal of office; and the same shall be recorded in the office of the County Clerk in the

county in which the principal office of the association is located, and a copy in the office of the Secretary of State. Upon recording said certificate the association shall be deemed fully converted to an association of this State, and may proceed to business.

When such conversion or reconversion becomes effective as hereinbefore provided, all the property of such association, both real and personal, shall immediately by operation of law and without conveyance or transfer of any kind or character, be vested in such converted association: Provided, however, that such converted association shall continue responsible for all of the obligations of the association prior to the conversion.

The provisions of this Act shall not apply to the contracts of any Building and Loan Associations concerning the sale of its shares now authorized and approved by the Banking Commissioner.

That Section 855 of Carroll's Kentucky Statutes, Sections 856a, 865a, 868a, 868b, of Carroll's Kentucky Statutes, and all laws or Statutes or Acts in conflict with the provisions of this Act be and the same are hereby repealed.

If any clause, phrase, sentence, provision, or paragraph of this statute be declared unconstitutional, such declaration shall not affect any other portion thereof, and all the other parts, clauses, phrases, sentences, and provisions of this statute shall not be affected by such finding, but shall be and remain in full force and effect. The legislature hereby declares that it would have enacted this statute and each distinct, separate, and remaining part thereof, irrespective of the fact that some part or parts might be declared unconstitutional.

To Committee on Banks and Banking.

By Mr. Evans:

H. Res. 44. Resolution authorizing personal representatives of Clay Lightfoot, deceased and Lena Lightfoot to sue the Commonwealth.

The Speaker announced that he had referred the following bills heretofore introduced as follows, viz.:

H. B. 344, 378. Education No. 1.

H. B. 345. Ways and Means.

H. B. 346. Juvenile Courts and Childrens Homes.

H. B. 347. County and City Courts.

H. B. 348, 368. Codes of Practice.

H. B. 349, 355. Trade and Commerce.

H. B. 350. Judiciary.

H. B. 351, 380, 370. Kentucky Statutes No. 1.

H. B. 375. Military Affairs.

H. B. 376. Education No. 2.

H. B. 377. Classification of Cities and Towns.

H. B. 379, 369. Fish and Game.

H. B. 359. Public Utilities.

H. B. 365. Roads and Highways No. 1.

H. B. 366. Court of Appeals.

H. B. 367. Banks and Banking.

H. B. 371. Suffrage and Elections.

H. B. 372. Public Health No. 2.

H. B. 373. Veterans Legislation.

H. B. 374. Roads and Highways No. 2.

H. B. 352, 353, 354, 356, 357, 358, 360, 361, 362, 363, 364, 374, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401.

To Committee on Roads and Highways No. 2.

H. Res. 39, 41, 40, 42, 43. To Committee on Claims.

H. Res. 38. To Committee on Kentucky Statutes No. 1.

Mr. Brown moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Brown moved that the Rules of this House be suspended for the purpose of taking up for immediate consideration from the Orders of the Day, a bill entitled:

S. B. 14. An Act authorizing, empowering and directing the Governor to cause to be made an audit, study and survey of Departments, Institutions, Boards, Commissions and Agencies of the Commonwealth; empowering him to employ auditors, accountants, clerks, bookkeepers and any other class of skilled and professional services which, in his judgment, may be necessary and expedient to make said audit, study and survey; defining the scope or character of same and the powers and duties of auditors and others employed for the aforesaid purposes; and appropriating the sum of one hundred and

twenty thousand dollars ($120,000.00) to be used by the Governor in carrying out the purposes of the Act.

Said motion was agreed to.

Thereupon the House took up for immediate consideration, said bill.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Governor of this Commonwealth hereby is authorized, empowered and directed to cause to be made a full, thorough, comprehensive and complete audit, study and survey of all Departments, Institutions, Boards, Commissions and Agencies of this Commonwealth. To this end he hereby is specifically authorized, empowered and directed to employ and pay such reputable, qualified and experienced auditors, accountants, clerks, bookkeepers and any other class of skilled and professional services which, in his judgment, may be necessary and expedient to carry out, as expeditiously as possible, the duties imposed upon him by this Act, and to authorize, incur and pay such expenses as, in his judgment, may be necessary.

This audit, study and survey herein provided for shall extend back over such period of time as necessary to reveal the true financial condition of the Commonwealth, and of every Department and Agency thereof, and shall be of such character as to ascertain waste, duplication of efforts, useless offices, faulty or inadequate systems of bookkeeping, accounting, improper budgeting, and any and all other facts that may aid in placing the Commonwealth upon a sound financial basis.

From time to time as the work is finished and upon completion of said audit, study and survey, the Governor shall make a report thereof to the General Assembly, together with his recommendations relating thereto.

§ 2. Within a reasonable time after the effective date of this Act, and as soon as practical after any Department, Board, Commission or Agency of the State Government is reorganized, the Governor shall cause to be installed and kept by each Department, Board, Commission and Agency of the Commonwealth of Kentucky, a carefully systemized and well devised plan of filing, bookkeeping and accounting. Said system shall be as nearly uniform as practical and shall be as comprehensive as necessary for the efficient administration and business needs of the respective departments. As a part of the requirements to be imposed therein, the records of each department shall be so kept that a full and complete report may be readily and economically prepared and furnished to the Governor monthly, showing in detail all receipts and disbursements and other pertinent information which may be required by the Governor, for the previous month.

§ 3. Any auditor, accountant or other person employed by the Governor under the provisions of this Act shall have the right, when authorized in writing by the Governor, to require information, on oath, from any person or party touching any matters relative to any account which he is required to examine, state or audit. Any auditor, accountant or other person having such written authority from the Governor shall also have free and full access to any and all books, files, records and accounts of each and every Board, Commission, Department and Agency of this Commonwealth necessary or useful for the full and complete performance of the duties to which such person may be assigned by the Governor.

§ 4. There hereby is appropriated out of any funds of the State Treasury not otherwise appropriated the sum of one hundred and twenty thousand dollars ($120,000.00) to be used by the Governor in performing the duties required and/or authorized by this Act. Said appropriation shall be paid out of the General Funds by the State Treasurer on warrants drawn by the State Auditor on proper certification by the Governor,

§ 5. It is deemed by the General Assembly to be both advisible and necessary that the audits, studies and surveys authorized and provided for by this Act should be made as promptly as possible to aid in the proper and efficient reorganization of the State Government and the proper and efficient administration thereof. An emergency hereby is declared to exist and this Act shall become effective immediately upon its passage and approval by the Governor.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Sam Dever	Clyde S. Howard
C. W. Anderson, Jr.	Stanley S. Dickson	Ira W. Hulette
H. T. Baker	George W. Dunlap	John M. Hunnicut
W. T. Baker	Howard G. Early	Ben W. Johnson
G. M. Ballard	Garland Embry	O. C. Jones
B. F. Bedford	Clarence E. Evans	R. T. Kirkman
Reuben J. Boling	Walter R. Fannin	J. F. Ladd
Douglas Bolling	T. P. Fitzpatrick	Leslie Larrimore
Ollie J. Bowen	H. Myer Garner	M. T. McCarthy
Wallace Brown	G. W. Garrett	T. B. McConnell
Dr. R. A. Byers	James Garnett, Jr.	J. L. McDermott
V. O. Chandler	Eugene Gough	Lloyd MacDonald
Floyd Clark	Ben Grogan	W. F. McGary
Roscoe Claxon	Jas. T. Hamilton	Elmer McGlothen
George S. Clay	C. L. Hammons	C. S. Matherly
J. A. Coleman	W. L. Hampton, Jr.	Duke Mayfield
Roy Conway	Thomas W. Hines	W. H. Miller
Harry Davis	Price Holbrook	John B. Mollett

Tyler Munford	Wade H. Riley	Henry Stewart
Rodes K. Myers	Joe E. Robinson	Dr. H. S. Swope
J. C. Nickell	John C. Robinson	W. R. Tapp
Russell O'Neill	A. W. Ross	J. J. Thomas
Mel Petry	Carl Scheben	S. J. Wagner
A. W. Pfeiffer	Ray O. Shehan	Henry Ward
J. C. Ramey	P. L. Sidebottom	L. R. Wells
Hobart Rayburn	Chester D. Silvers	W. G. Williams
Harry C. Records	Bruce Sloan	Charles Wylie
L. K. Rice	H. C. Steely	

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Those who voted in the negative were—

Jas. C. Carter R. Van Bever, Jr. —2

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Garnett moved that the rules of this House be suspended for the purpose of taking up for immediate consideration from the Orders of the Day, a bill entitled:

H. B. 146. An Act to amend and re-enact subsections five (5) and nine (9) of Section 1083-a of Carroll's Kentucky Statutes, relating to the administration of justice in courts of justices of the peace in counties having a population in excess of two hundred and fifty thousand (250,000), by providing for the issuance of certain processes, notices, subpoenae and releases and the attestation of copies of matter of record by the recorders for the said courts; for the payment of the salaries provided by law for the offices of constable in the said counties; requiring the performance of certain additional duties by constables and deputy constables in the said coun-

ties including the making of certain reports; providing for the execution of the processes of the courts of justices of the peace in the said counties and fixing the duties of constables and deputy constables relative thereto; and whereas, in the said counties intensive industrial and commercial development and consequent density of population have combined to produce definitely changed conditions of life by reason of which demands upon constables and deputy constables therein are continuous, voluminous and exacting, and by reason of which it is necessary to an efficient administration of justice in courts of justices of the peace in the said counties that the constables and deputy constables therein devote the greater part of their time to the execution of the processes of the said courts and there is not the same need to act as peace officers because of provisions made otherwise by law for other peace officers in such counties: Now, Therefore,

Said motion was agreed to.

Thereupon the House took up for immediate consideration, said bill.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That subsection five (5) of Section 1083-a of Carroll's Kentucky Statutes is amended by adding to the said subsection the following:

"To certify by attestation the accuracy of copies of pleadings, orders, judgments, proceedings and other matters of record in the court in which the recorders are employed; to issue releases for wages held under garinshment after the allowances of pleas of exemption; to issue all processes, notices and subpoenae which a justice of the peace has power to issue except warrants of arrest, search warrants, commitments, orders of arrest, distress warrants, orders of delivery

of personal property, executions, processes or orders for the release or discharge of any person from custody or confinement, or for the release or discharge of any property under the control or in the possession of the court or any officer except as hereinabove provided, and in addition to the exceptions herein enumerated no recorder or deputy recorder shall admit any person to bail or take any bail or other bond in any criminal or civil action or proceeding," so that when so amended and re-enacted the said subsection five (5) shall read as follows:

"It shall be the duty of each recorder, after executing bond as required in Section four (4) (K. S. Section 1083a-4) hereof, to receive for the county the correct amounts of money which, under the provisions of this act become a part of the general fund of the county. Each recorder shall keep such records, in the manner and form as prescribed by the fiscal court as will enable the recorder, and the fiscal court, to ascertain from time to time the correct amounts of money received, or due and not received, for the general fund of the county. Each recorder, and each deputy recorder, shall perform such clerical services, under the direction of the justice of the peace, as will assist and enable said justice to promptly dispatch litigation, and such clerical services as will assist and enable the justice to accurately keep such records thereof as are required by law. Recorders and deputy recorders shall have the power to administer oaths; to certify by attestation the accuracy of copies of pleadings, orders, judgments, proceedings and other matters of record in the court in which the recorders are employed; to issue releases for wages held under garnishment after the allowance of pleas of exemption; to issue all processes, notices and subpoenae which a justice of the peace has power to issue except warrants of arrest, search warrants, commitments, orders of arrest, distress warrants, orders for the delivery of personal property, executions, processes or orders for the release or discharge of any person from custody or confinement, or for the release or

discharge of any property under the control or in the possession of the court or any officer except as hereinabove provided, and, in addition to the exceptions herein enumerated no recorder or deputy recorder shall admit any person to bail or take any bail or other bond in any criminal or civil action or proceeding."

§ 2. That subsection nine (9) of Section 1083a of Carroll's Kentucky Statutes is amended by striking from the eighteenth line thereof the words "constable or," which words now appear in the proviso of the said subsection immediately following the words "provided, however, that in no event shall any," and immediately preceding the words "deputy constable for any month," and by striking from the twentieth and twenty-first lines thereof the words "constable or," which words now appear in the proviso of the said subsection immediately following the words "deputy constable, pursuant to section (2)" and by adding to the said subsection the following:

"The constables elected in the counties in which this act is effective shall, in addition to the duties otherwise required of them by law, promptly attend the sessions of the justices' courts held in their respective districts, act as bailiffs of the said courts, preserve order in and near the court rooms, and perform such other services incident to the speedy and orderly administration of the court's business as may be required by the justice of the peace, and shall execute or cause the timely execution of, and shall supervise and expedite the execution of the processes and orders of the justices' courts of their respective districts, in particular, and of all the justices' courts of the county in general.

"On or before the tenth day of each calendar month each constable shall report to the justice of the peace of the same district relative to the performance of the duties of office by himself and his deputies during the next preceding calendar month. Each monthly report shall contain, under the heading of court attendance, a statement showing the dates of the

sessions of court attended by the constable and the number of hours he was in attendance upon each date. Each monthly report shall also contain, under the heading of civil matters, a statement showing the total number of each kind of civil processes and orders received, the total number of each returned executed, returned unexecuted, and not returned and not executed. Each monthly report shall also contain, under the heading of criminal matters, a list of the names and addresses of all persons for whom warrants of arrest have been obtained by the constable and his deputies, noting the name of the officer obtaining each warrant, the name of the officer executing each warrant, and indicating the warrants returned executed, returned unexecuted, and not returned and not executed; a list of the names and addresses of all persons for whom warrants of arrest have been obtained by others and delivered to the constable and his deputies for execution, noting the name and address of the person obtaining each warrant, the name of the officer executing it, and indicating the warrants returned executed, returned unexecuted, and not returned and not executed; a list of the names and addresses of all persons arrested by the constable and his deputies without warrant, noting the name of the officer making the arrest and the cause of the arrest; a list of all the places for which search warrants have been obtained by the constable and his deputies, noting the name of the officer obtaining each search warrant, the name of the officer executing it, and indicating the search warrants returned executed, returned unexecuted, and not returned and not executed. Each monthly report shall also contain, under the heading of other matters, a brief but adequate report upon all other acts of the constable and his deputies performed under authority, or under color of authority, of office. Each monthly report shall be subscribed and sworn to by the constable and such parts thereof as pertain to the acts of his deputies beyond his presence shall be deemed to be sworn to upon information and belief. Each

said report shall be entered as a matter of record upon the records of his court by the justice of the peace, who shall cause attested copies thereof to be promptly delivered to the county judge, the county attorney, and the attorney for the Commonwealth.

"All Acts and parts of Acts in conflict herewith are, to the extent of such conflict hereby repealed," so that when so amended and re-enacted the said subsection nine (9) of Section 1083a shall read as follows:

Each person hereafter elected or appointed and thereafter holding the office of constable in any of said districts shall be exclusively compensated for the performance of the duties of his office by salary in the sum of twenty-four hundred ($2,400.00) dollars per annum, which shall be paid in equal monthly installments out of the general fund of the county, and each deputy constable similarly appointed and thereafter holding the office of deputy constable, shall be similarly exclusively compensated for the performance of the duties of his office by salary in the sum of fifteen hundred ($1,500.00) dollars per annum, which shall be paid in equal monthly installments, provided, however, that in no event shall the amount paid to any deputy constable for any month exceed the amount paid into the general fund of said county by the said deputy constable, pursuant to Section (2) (K. S. Section 1083a-2) hereof, during the preceding month.

The constables elected in the counties in which this act is effective shall, in addition to the duties otherwise required of them by law, promptly attend the sessions of the justices' courts held in their respective districts, act as bailiffs of the said courts, preserve order in and near the court rooms, and perform such other services incident to the speedy and orderly administration of the court's business as may be required by the justice of the peace, and shall execute or cause the timely execution of, and shall supervise and expedite the execution of the processes and orders of the justices' courts of

their respective districts in particular, and of all the justices' courts of the county in general.

On or before the tenth day of each calendar month each constable shall report to the justice of the peace of the same district relative to the performance of the duties of office by himself and his deputies during the next preceding calendar month. Each monthly report shall contain, under the heading of court attendance, a statement showing the dates of the sessions of court attended by the constable and the number of hours he was in attendance upon each date. Each monthly report shall also contain, under the heading civil matters, a statement showing the total number of each kind of civil processes and orders received, the total number of each returned executed, returned unexecuted, and not returned and not executed. Each monthly report shall also contain, under the heading of criminal matters, a list of the names and addresses of all persons for whom warrants of arrest have been obtained by the constable and his deputies, noting the name of the officer obtaining each warrant, the name of the officer executing each warrant, and indicating the warrants returned executed, returned unexecuted, and not returned and not executed; a list of the names and addresses of all persons for whom warrants of arrest have been obtained by others and delivered to the constable and his deputies for execution, noting the name and address of the person obtaining each warrant, the name of the officer executing it, and indicating the warrants returned executed, returned unexecuted, and not returned and not executed; a list of the names and addresses of all persons arrested by the constable and his deputies without warrant, noting the name of the officer making the arrest and the cause of the arrest; a list of all the places for which search warrants have been obtained by the constable and his deputies, noting the name of the officer obtaining each search warrant, the name of the officer executing it, and indicating the search warrants returned executed, returned unexecuted,

and not returned and not executed. Each monthly report shall also contain, under the heading of other matters, a brief but adequate report upon all other acts of the constable and his deputies performed under authority, or under color of authority, of office. Each monthly report shall be subscribed and sworn to by the constable and such parts thereof as pertain to the acts of his deputies beyond his presence shall be deemed to be sworn to upon information and belief. Each said report shall be entered as a matter of record upon the records of his court by the justice of the peace, who shall cause attested copies thereof to be promptly delivered to the county judge, the county attorney, and the attorney for the Commonwealth.

The provisions of this Act shall be retroactive and shall apply to the present official term of all constables and deputy constables in the said counties now holding office at the time of the passage and approval hereof.

Any constable who willfully fails and refuses to perform the duties hereinabove enumerated or who shall be guilty of misfeasance or nonfeasance in office, shall be dealt with and punished in accordance with the provisions of Section 3748 of Carroll's Kentucky Statutes, 1922.

All Acts and parts of Acts in conflict herewith are, to the extent of such conflict, hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only, and passed.

The yeas and nays, being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	H. T. Baker	G. M. Ballard
C. W. Anderson, Jr.	W. T. Baker	B. F. Bedford

Reuben J. Boling	Jas. T. Hamilton	Russell O'Neill
Douglas Bolling	C. L. Hammons	Mel Petry
Ollie J. Bowen	W. L. Hampton, Jr.	A. W. Pfeiffer
Wallace Brown	Thomas W. Hines	J. C. Ramey
Dr. R. A. Byers	Price Holbrook	Hobart Rayburn
Jas. C. Carter	Clyde S. Howard	Harry C. Records
V. O. Chandler	Ira W. Hulette	L. K. Rice
Floyd Clark	John M. Hunnicut	Wade H. Riley
Roscoe Claxon	Ben W. Johnson	Joe E. Robinson
George S. Clay	O. C. Jones	John C. Robinson
J. A. Coleman	R. T. Kirkman	A. W. Ross
Roy Conway	J. F. Ladd	Carl Scheben
Herbert Cook	Leslie Larrimore	Ray O. Shehan
Harry Davis	Robert E. Lee	P. L. Sidebottom
Sam Dever	M. T. McCarthy	Chester D. Silvers
Stanley S. Dickson	T. B. McConnell	Bruce Sloan
George W. Dunlap	J. L. McDermott	H. C. Steely
Howard G. Early	Lloyd MacDonald	Henry Stewart
Garland Embry	W. F. McGary	Dr. H. S. Swope
Clarence E. Evans	Elmer McGlothen	W. R. Tapp
Walter R. Fannin	C. S. Matherly	J. J. Thomas
Chas. P. Farnsley	Duke Mayfield	R. Van Bever, Jr.
T. P. Fitzpatrick	G. S. Milam	S. J. Wagner
H. Myer Garner	W. H. Miller	Henry Ward
G. W. Garrett	John B. Mollett	L. R. Wells
James Garnett, Jr.	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	—89

Resolved that the title thereof be as aforesaid.

Mr. Farnsley moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Brown moved that the House do now recess until three o'clock P. M.

Said motion was agreed to.

And then the House recessed.

The hour of three o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

By unanimous consent, a resolution entitled:

H. Res. 44. (For title see House Journal of today, *ante.*)

Was withdrawn.

A Message was received from the Senate announcing that they had passed bills and a resolution which originated in that body, entitled:

S. B. 79. An Act relating to real estate mortgages and vendors' liens, etc.

S. B. 78. An Act prohibiting the sale, disposition of, severance, cutting, or removal of standing timber, etc.

S. B. 36. An Act authorizing the various counties of the Commonwealth to contract with cities owning and operating hospitals for poor and indigent persons.

S. Res. 10. Resolution expressing assent of the Legislature of the State of Kentucky to the provisions and purposes of the Act approved June 28, 2925 (Public —NO. 182—74th Congress).

S. B. 26. An Act relating to the primary system of roads and highways.

S. B. 27. An Act relating to the primary system of roads and highways.

S. B. 35. An Act relating to the primary system of roads and highways.

S. B. 57. An Act relating to the primary system of roads and highways.

S. B. 58. An Act relating to the primary system of roads and highways.

S. B. 67. An Act relating to the primary system of roads and highways.

S. B. 69. An Act relating to the primary system of roads and highways.

S. B. 80. An Act relating to the primary system of roads and highways.

S. B. 81. An Act relating to the primary system of roads and highways.

S. B. 84. An Act relating to the primary system of roads and highways.

S. B. 85. An Act relating to the primary system of roads and highways.

S. B. 96. An Act relating to the primary system of roads and highways.

S. B. 98. An Act relating to the primary system of roads and highways.

S. B. 99. An Act relating to the primary system of roads and highways.

S. B. 101. An Act relating to the primary system of roads and highways.

Ordered that said bills be printed and referred as follows:

S. B. 26, 27, 35, 57, 58, 67, 69, 80, 84, 85, 96, 98, 99, 101. To Committee on Roads and Highways No. 2.

The Committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. Grogan of the Committee on Banks and Banking:

H. B. 201. An Act to amend and re-enact Section 596, Kentucky Statutes, Carroll's Edition of 1930, to increase the surplus of banks, trust companies and combined banks and trust companies, organized under the laws of this State.

H. B. 202. An Act to amend and re-enact Section 577, Kentucky Statutes, Carroll's Edition, 1930, to increase the required capital of any new banks created under the laws of this State.

By Mr. Ward of the Committee on Cities of the Second Class:

H. B. 228. An Act for the provision of one day of rest out of seven days for regularly employed police officers in Police Departments of all cities within the Commonwealth under classification of 1st, 2nd, and 3rd Class.

By Mr. Gough of the Committee on Cities of the Third Class:

H. B. 78. An Act repealing and re-enacting Sections 1,

2, 4, 6 and 7 of Article IX of the Acts of the General Assembly pertaining to the retirement of teachers from the Common Schools of this Commonwealth, etc.

H. B. 12. An Act relating to the Government of cities of the Third Class.

With a Committee Amendment thereto by way of Substitute therefor.

By Mr. Embry of the Committee on Claims:

S. Res. 15. Resolution for the relief of R. G. Holbrook, sheriff of Owen County.

H. Res. 25. Resolution authorizing the personal representative of Sarah Marks and Gladys Madison and Daisy Carter to sue the Commonwealth.

H. Res. 29. A Joint resolution authorizing Ben Wiley to sue the Commonwealth.

H. Res. 34. Resolution authorizing Ohio County to sue the State Highway Commission.

H. Res. 36. Resolution authorizing R. T. Humphries to file suit against the Commonwealth.

H. Res. 35. Resolution authorizing Andy Hunter to sue the Commonwealth.

H. Res. 31. Resolution authorizing Archie C. Miller to sue the Commonwealth.

H. B. 229. An Act to permit J. W. Beams to sue the Commonwealth.

H. Res. 33. Resolution authorizing William Cox to sue the Commonwealth.

H. Res. 11. Resolution appropriating the sum of seventy-five dollars per month for the use of the widow and children of Powell Hayes deceased.

H. Res. 10. Resolution appropriating the sum of seventy-five dollars per month for the use of the widow and children of Holbert Rowland, deceased.

With a Committee Amendment thereto.

By Mr. Clark of the Committee on Compensation for Industrial Injuries:

H. B. 128. An Act amending and re-enacting Section 20, Chapter 3 of the Acts of 1916, known as the Workmen's Compensation Act, etc.

By Mr. McGary of the Committee on Education No. 1:

H. B. 70. An Act repealing Section 4399-34, Carroll's Kentucky Statutes, Baldwin's Revised Edition of 1934, being Chapter 65, Article 5, Section 29, of the 1934 Acts of the General Assembly and providing for the election of the county school superintendent by popular vote.

With a Committee Amendment thereto by way of Substitute therefor.

By Mr. Matherly of the Committee on Judiciary:

H. B. 15. An Act amending Section 3545 of Carroll's Kentucky Statutes, 1930 Edition, relating to cities of the 4th

class by repealing and re-enacting said section in amended form, etc.

H. B. 6. An Act relating to the liability of cities and towns for damages resulting from accidents on streets, etc.

With Committee amendment there to by way of Substitute therefor.

H. B. 317. An Act to repeal and re-enact Section 1243 of Carroll's Kentucky Statutes, 1930 Edition.

H. B. 206. An Act to amend and re-enact Section 3905 of the Kentucky Statutes, being part of Chapter 98 of the Kentucky Statutes, etc.

By Mr. Dunlap of the Committee on Kentucky Statutes No. 1:

H. B. 190. An Act providing for the construction of a Court of Appeals building and the financing thereof.

H. B. 110. An Act to repeal and re-enact Chapter 142 of the Acts of the General Assembly of Kentucky, 1932, the same being Section 4151-2 of the 1932 Supplement to the 1930 Edition of Carroll's Kentucky Statutes, and relating to redemption of land sold for taxes, etc.

With Committee amendment thereto.

H. B. 283. An Act fixing the license fees of operators of non-resident laundries doing business within the State of Kentucky and providing for the repeal of all laws inconsistent therewith.

H. B. 46. An Act to promote safe driving and to remove the reckless and financially irresponsible from the highway.

With an expression of opinion.

H. Res. 2. Resolution authorizing R. Young and Joseph Young to sue the Commonwealth of Kentucky.

H. Res. 7. Resolution authorizing Mrs. Joe A. Westerfield to sue the Commonwealth of Kentucky.

S. B. 60. An Act pertaining to cities of the second class.

By Mr. Evans of the Committee on Appropriations No. 1:

H. Res. 30. Resolution authorizing and directing payment of the sum of $463.97 to Brown-Richardson & Company, representing the balance due for material furnished for the construction of an armory at Russellville, Kentucky.

By Mr. Myers of the Committee on Roads and Highways No. 1:

H. B. 250. An Act to forbid operators of motor vehicles passing school busses or other passenger carrying motor vehicles which are stopped to take on or discharge school children, etc.

H. B. 62. An Act prohibiting the placing or throwing of glass, tacks, nails or other destructive substances upon the highways and providing penalties.

By Mr. Clay of the Committee on Suffrage and Elections:

H. B. 303. An Act to repeal and re-enact Section 1550-17 of Carroll's Kentucky Statutes, 1933 Supplement, being Chapter 85 of the Acts of the General Assembly of 1932 and relating to ballots in primary elections.

H. B. 107. An Act to bar from the ballot any and all political parties advocating the overthrow of Government by force or violence.

H. B. 314. An Act to repeal and re-enact Section 1460 of Carroll's Kentucky Statutes, 1933 Supplement, being Chapter 82, paragraph 1, of the Acts of the General Assembly of 1932, relating to the form, arrangement and printing of ballots in General Elections.

By Mr. Bolling of the Committee on Veterans Legislation:

H. B. 204. An Act relating to the appointment of employees in all branches of State, County or City governments, etc.

By Mr. McDermott of the Committee on Classification of Cities and Towns:

S. B. 43. An Act to amend and re-enact Section 2740, Kentucky Statutes, 1930 Edition, Chapter 107, 1932 Acts, and Chapter 31, 1934 Acts, relating to classification of cities.

By Mr. Williams of the Committee on Roads and Highways No. 2:

H. B. 223. An Act relating to the Primary System of Roads and Highways.

H. B. 224. An Act relating to the Primary System of Roads and Highways.

H. B. 225. An Act relating to the Primary System of Roads and Highways.

H. B. 230. An Act relating to the Primary System of Roads and Highways.

H. B. 235. An Act relating to the Primary System of Roads and Highways.

H. B. 240. An Act relating to the Primary System of Roads and Highways.

H. B. 241. An Act relating to the Primary System of Roads and Highways.

H. B. 242. An Act relating to the Primary System of Roads and Highways.

H. B. 243. An Act relating to the Primary System of Roads and Highways.

H. B. 245. An Act relating to the Primary System of Roads and Highways.

H. B. 246. An Act relating to the Primary System of Roads and Highways.

H. B. 247. An Act relating to the Primary System of Roads and Highways.

H. B. 248. An Act relating to the Primary System of Roads and Highways.

H. B. 249. An Act relating to the Primary System of Roads and Highways.

H. B. 251. An Act relating to the Primary System of Roads and Highways.

H. B. 255. An Act relating to the Primary System of Roads and Highways.

H. B. 257. An Act relating to the Primary System of Roads and Highways.

H. B. 258. An Act relating to the Primary System of Roads and Highways.

H. B. 259. An Act relating to the Primary System of Roads and Highways.

H. B. 260. An Act relating to the Primary System of Roads and Highways.

H. B. 261. An Act relating to the Primary System of Roads and Highways.

H. B. 264. An Act relating to the Primary System of Roads and Highways.

H. B. 265. An Act relating to the Primary System of Roads and Highways.

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H. B. 267. An Act relating to the Primary System of Roads and Highways.

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H. B. 271. An Act relating to the Primary System of Roads and Highways.

H. B. 272. An Act relating to the Primary System of Roads and Highways.

H. B. 277. An Act relating to the Primary System of Roads and Highways.

H. B. 278. An Act relating to the Primary System of Roads and Highways.

H. B. 280. An Act relating to the Primary System of Roads and Highways.

H. B. 284. An Act relating to the Primary System of Roads and Highways.

H. B. 285. An Act relating to the Primary System of Roads and Highways.

H. B. 287. An Act relating to the Primary System of Roads and Highways.

H. B. 288. An Act relating to the Primary System of Roads and Highways.

H. B. 289. An Act relating to the Primary System of Roads and Highways.

H. B. 291. An Act relating to the Primary System of Roads and Highways.

H. B. 292. An Act relating to the Primary System of Roads and Highways.

H. B. 293. An Act relating to the Primary System of Roads and Highways.

H. B. 295. An Act relating to the Primary System of Roads and Highways.

H. B. 296. An Act relating to the Primary System of Roads and Highways.

H. B. 297. An Act relating to the Primary System of Roads and Highways.

H. B. 298. An Act relating to the Primary System of Roads and Highways.

H. B. 309. An Act relating to the Primary System of Roads and Highways.

H. B. 310. An Act relating to the Primary System of Roads and Highways.

H. B. 311. An Act relating to the Primary System of Roads and Highways.

H. B. 312. An Act relating to the Primary System of Roads and Highways.

H. B. 318. An Act relating to the Primary System of Roads and Highways.

H. B. 322. An Act relating to the Primary System of Roads and Highways.

H. B. 323. An Act relating to the Primary System of Roads and Highways.

H. B. 324. An Act relating to the Primary System of Roads and Highways.

H. B. 326. An Act relating to the Primary System of Roads and Highways.

H. B. 327. An Act relating to the Primary System of Roads and Highways.

H. B. 328. An Act relating to the Primary System of Roads and Highways.

H. B. 329. An Act relating to the Primary System of Roads and Highways.

H. B. 330. An Act relating to the Primary System of Roads and Highways.

H. B. 332. An Act relating to the Primary System of Roads and Highways.

H. B. 333. An Act relating to the Primary System of Roads and Highways.

H. B. 334. An Act relating to the Primary System of Roads and Highways.

H. B. 342. An Act relating to the Primary System of Roads and Highways.

H. B. 343. An Act relating to the Primary System of Roads and Highways.

H. B. 340. An Act relating to the Primary System of Roads and Highways.

H. B. 341. An Act relating to the Primary System of Roads and Highways.

With the expression of opinion that said bills ought to pass, with exception of those specifically set out above.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

By Mr. McGary of the Committee on Education No. 1:

H. B. 37. An Act to amend and re-enact Section 4627-31, Carroll's Kentucky Statutes, 1934 Supplement, providing for scholarships and educational privileges for World War Veterans.

By Mr. Grogan of the Committee on Banks and Banking:

H. B. 91. An Act defining Building and Loan Associations.

By Mr. Kirkman of the Committee on Motor Transportation:

H. B. 149. An Act to amend and re-enact Carroll's Kentucky Statutes, Section 2739j-42, being Article 1 of Chapter 104 of the Acts of 1932.

H. B. 120. An Act to regulate the quantity of gasoline or other combustible liquid motor fuels that may be carried in the fuel tanks or otherwise in or about motor vehicles, etc.

By Mr. Clay of the Committee on Suffrage and Elections:

H. B. 197. An Act to repeal, amend and re-enact Chapter 99 of the Acts of the General Assembly of Kentucky,

Regular Session 1920, relating to the nomination of candidates by political parties in primaries, etc.

By Mr. Myers of the Committee on Roads and Highways No. 1:

H. B. 137. An Act to amend Section 2739g-6, Carroll's Kentucky Statutes, 1930 Edition, as amended by Acts of March 19, 1926, relating to registration by manufacturers and dealers of motor vehicles, etc.

H. B. 319. An Act requiring the State Highway Commission to pay to cities of the 4th, 5th and 6th classes for the construction of streets in such cities where same are parts of a State Highway.

H. B. 186. An Act to amend and re-enact Section 2 of the gasoline tax law, being Section 2 of Chapter 150 of the 1932 Acts of the General Assembly of Kentucky, Etc.

By Mr. Evans of the Committee on Appropriations No. 1:

H. B. 199. An Act providing for the acquisition by the Commonwealth of Kentucky of the stereotype plates, books, copyrights and all other proprietary rights of and in the first seventy-seven volumes of the Reports of the Court of Appeals of Kentucky from the present non-resident owners thereof.

With the expression of opinion that said bills ought not to pass.

No further action having been taken by the House and no motion having been made to advance said bills to a reading, the report of the Committee to the contrary notwithstanding, it was ordered that said bills be not read the first time.

And so said bills were rejected.

By unanimous consent the following resolution was introduced, ordered printed and referred as follows, viz.:

By Mr. Dickson:

H. Res. 46. Resolution providing for payment of an additional Sergeant-at-Arms of the House of Representatives.

Said resolution is as follows, viz.:

H. Res. 46. Whereas, It is necessary to employ additional aid by the Speaker of the House in order to expedite the business of the House; Now, Therefore,

Be it Resolved by the House of Representatives, the Senate concurring therein:

That the Speaker of the House be authorized and directed to employe an Assistant Sergeant-at-Arms, the total amount to be paid said employee not to exceed the sum of Three ($3.00) Dollars per day, from the 6th day of January, to February 15, 1936, inclusive, and the Clerk of the House is directed to issue vouchers to the Auditor of Public Accounts who shall draw his warrant in favor of the Clerk of the House on itemized accounts of the said employee. Said amounts shall not include any charge by the Clerk for any work done by him.

It being necessary to have the work herein provided for done at once, and the officers charged with the duty not being able to perform the volume of work personally, an emergency is declared and this resolution becomes in force and effect upon its adoption and approval by the Governor.

To Committee on Appropriations No. 1.

Mr. Rice moved that a bill entitled:

H. B. 70. An Act repealing Section 4399-34, Carroll's Kentucky Statutes, Baldwin's Revision of 1934, being Chapter 65, Article 5, Section 29, of the 1934 Acts of the General Assembly; and providing for the election of the county school superintendents by popular votes.

Be known as the "Rice-Garner Act".

Said motion was agreed to.

Mr. Brown moved that the Rules of this House be suspended and that a bill entitled:

S. B. 8. An Act amending so much of Section 965, Kentucky Statutes, Carroll's 1930 Edition as relates to the 28th Judicial District, and changing the time for holding the session of Circuit Courts in the counties of the 28th Judicial District of Kentucky.

Be taken up for immediate consideration.

Said motion was agreed to.

Thereupon the House took up for immediate consideration said bill.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 965 of Kentucky Statutes, Carroll's One Thousand, Nine Hundred and Thirty Edition, relating to the holding the Circuit Courts in the Counties of the 28th Judicial District, be, and the same is hereby amended by striking out all of Section 965-28 relating to the holding of court in the 28th Judicial District and inserting in lieu thereof, the following:

Rockcastle County, at Mt. Vernon, second Monday in January, 18 Juridical days; second Monday in April, 18 juridical days; third Monday in August, 24 juridical days, Pulaski County, at Somerset, First Monday in February, 24 juridical days; second Monday in May, 30 juridical days; third Monday in September, 48 juridical days.

Wayne County, at Monticello, first Monday in March, 18 juridical days; third Monday in June, 18 juridical days; third Monday in November, 18 juridical days.

Clinton County, at Albany, fourth Monday in March, 12 juridical days; second Monday in July, 12 juridical days; second Monday in December, 18 juridical days.

An emergency is declared to exist and this act shall take effect from and after its approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Jas. C. Carter	George W. Dunlap
C. W. Anderson, Jr.	V. O. Chandler	Howard G. Early
H. T. Baker	Floyd Clark	Garland Embry
W. T. Baker	Roscoe Claxon	Clarence E. Evans
G. M. Ballard	George S. Clay	Walter R. Fannin
B. F. Bedford	J. A. Coleman	Chas. P. Farnsley
Reuben J. Boling	Roy Conway	T. P. Fitzpatrick
Douglas Bolling	Herbert Cook	H. Myer Garner
Ollie J. Bowen	Harry Davis	G. W. Garrett
Wallace Brown	Sam Dever	James Garnett, Jr.
Dr. R. A. Byers	Stanley S. Dickson	Eugene Gough

Ben Grogan	Lloyd MacDonald	Joe E. Robinson
Jas. T. Hamilton	W. F. McGary	John C. Robinson
C. L. Hammons	Elmer McGlothen	A. W. Ross
W. L. Hampton, Jr.	C. S. Matherly	Carl Scheben
Thomas W. Hines	Duke Mayfield	Ray O. Shehan
Price Holbrook	G. S. Milam	P. L. Sidebottom
Clyde S. Howard	W. H. Miller	Chester D. Silvers
Ira W. Hulette	John B. Mollett	Bruce Sloan
John M. Hunnicut	Tyler Munford	H. C. Steely
J. H. Jones	J. C. Nickell	Henry Stewart
O. C. Jones	Russell O'Neill	Dr. H. S. Swope
R. T. Kirkman	Mel Petry	W. R. Tapp
J. F. Ladd	A. W. Pfeiffer	J. J. Thomas
Leslie Larrimore	J. C. Ramey	R. Van Bever, Jr.
Robert E. Lee	Hobart Rayburn	S. J. Wagner
M. T. McCarthy	Harry C. Records	L. R. Wells
T. B. McConnell	L. K. Rice	W. G. Williams
J. L. McDermott	Wade H. Riley	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 22. Resolution for the relief of R. G. Holbrook, sheriff of Owen County, Kentucky.

Mr. O. C. Jones moved that said resolution be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 13. Resolution providing for a contingent fund for the Clerk of the Senate and the Clerk of the House.

Said resolution is as follows, viz:

Joint Resolution No. 13.

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That for the purpose of paying such expenses as the Chief Clerk of the Senate of Kentucky is directed to incur by the Senate of Kentucky, there is herby appropriated out of the general revenues of the State, as a contingent fund, the sum of five hundred ($500.00) dollars and for the purpose of paying the expenses incurred by the Chief Clerk of the House of Representatives of the Commonwealth, under the direction of said House there is hereby appropriated out of the general revenues of the State, as a contingent fund, the sum of five hundred ($500.00) dollars. Said respective funds shall be paid out on warrant of the Auditor, issued on requisition of the Chief Clerk of the Senate and of the House of Representatives.

WHEREAS, it is necessary that the said Clerk shall have immediate use of said contingent funds, therefore an emergency is hereby declared to exist, and this resolution shall take effect from and after its passage and approval by the Governor.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz:

Those who voted in the affirmative were—

Henry H. Allen	Ben Grogan	J. C. Nickell
C. W. Anderson, Jr.	Jas. T. Hamilton	Russell O'Neill
H. T. Baker	C. L. Hammons	Mel Petry
W. T. Baker	W. L. Hampton, Jr.	A. W. Pfeiffer
B. F. Bedford	Thomas W. Hines	J. C. Ramey
Reuben J. Boling	Price Holbrook	Hobart Rayburn
Ollie J. Bowen	Clyde S. Howard	Harry C. Records
Wallace Brown	Ira W. Hulette	L. K. Rice
Dr. R. A. Byers	John M. Hunnicut	Wade H. Riley
Jas. C. Carter	Ben W. Johnson	Joe E. Robinson
V. O. Chandler	J. H. Jones	John C. Robinson
Roscoe Claxon	O. C. Jones	A. W. Ross
George S. Clay	R. T. Kirkman	Carl Scheben
J. A. Coleman	J. F. Ladd	Ray O. Shehan
Roy Conway	Leslie Larrimore	P. L. Sidebottom
Herbert Cook	Robert E. Lee	Chester D. Silvers
Harry Davis	M. T. McCarthy	Bruce Sloan
Stanley S. Dickson	T. B. McConnell	H. C. Steely
George W. Dunlap	J. L. McDermott	Henry Stewart
Howard G. Early	Lloyd MacDonald	Dr. H. S. Swope
Garland Embry	W. F. McGary	W. R. Tapp
Clarence E. Evans	Elmer McGlothen	J. J. Thomas
Walter R. Fannin	C. S. Matherly	R. Van Bever, Jr.
Chas. P. Farnsley	Duke Mayfield	S. J. Wagner
T. P. Fitzpatrick	G. S. Milam	L. R. Wells
H. Myer Garner	W. H. Miller	W. G. Williams
G. W. Garrett	John B. Mollett	Charles Wylie
James Garnett, Jr.	Tyler Munford	
Eugene Gough	Rodes K. Myers	—85

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 48. An Act making it a felony to solicit, assess, or knowingly receive money from State or Federal employee or employees, for campaign or political purposes defining the term "State or Federal Employee" and providing penalties for violation.

With a Committee amendment thereto by way of Substitute therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any person, or persons, to solicit, assess or knowingly receive money from any State or Feeral Employee, or Employees; for the purpose of using such money to promote the candidacy of any person or persons, or political party, or any cause to be voted upon by the voters of this State or any section or portion of same, in either a State, National, District, County, Municipal, or Precinct election; and any person or persons who shall solicit, assess or receive any money from a State or Federal Employee, or Employees, or shall cause same to be done, either for himself, or another, or any political party or question to be voted upon, at either a primary election, general election, or in securing delegates or in any manner where nominations are to be made by a Convention; shall be deemed guilty of a felony and shall, upon conviction, be punished by confinement in the State penitentiary not less than one year or more than five.

§ 2. The term "State or Federal Employee", as used herein means any person who holds any appointive office in

any department of the State or Federal Government, and who receives wages or salary for their work from the funds of the State of Kentucky or the United States and shall include all members of the State Highway Commission of Kentucky and all persons who are employed by the State Highway Commission of Kentucky in any capacity, and receive any compensation therefor.

§ 3. It shall be the duty of all Circuit Court Judges of the State of Kentucky to instruct the grand juries of their Courts regarding this Act each time that a Grand Jury is instructed.

§ 4. This Act shall become effective upon its passage and approval as required by law.

Said Substitute is as follows, viz.:

H. B. 48. An Act making it a misdemeanor to obtain money by assessment, intimidation or coercion from any State employee or Federal employee or employees, for any campaign or political purpose or purposes; defining the terms "assessment, intimidation, coercion, and State or Federal employee or employees", and providing penalties for violation.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any person, or persons, to obtain or to attempt to obtain money by assessments, intimidation or coercion from any State or Federal employee or employees; for the purpose of using such money to promote or aid the candidacy of any person, or persons, or political party, or any cause to be voted upon by the voters of this State or any section or portion of same, in any State, National, District, County, Municipal or Precinct Election, or Primary Election; and any person or persons who shall assess, intimidate or coerce, or cause same to be done, either for himself or for another, or any Political Party or questions

to be voted upon, at any Primary Election, General Election, or in securing delegates, or in any manner where nominations are to be made by a Convention; shall be guilty of a misdemeanor and shall, upon conviction, be punished by imprisonment of not less than ten (10) days or more than thirty (30) days, or by fine of not less than fifty ($50.00) dollars, or more than five hundred ($500.00) dollars, or by both such imprisonment and fine.

§ 2. The term "State or Federal Employee", as used herein means any person who holds any appointive office in any department of the State or Federal Government, and who receives wages or salary for their work from the funds of the State of Kentucky or the United States and shall include all members of the State Highway Commission of Kentucky and all persons who are employed by the State Highway Commission of Kentucky in any capacity, and receive any compensation therefor.

§ 3. The term "assessment" as used herein means the fixing of any amount, or amounts, to be given in money by any employee or employees, and the soliciting of such or any amounts in money from a person or persons so assessed.

The term "intimidation" and the term "coercion" as used herein means any threats of discharging any employee or employees for failure to contribute any amounts of money for campaign or political purposes, or any attempt to force contributions of any amounts of money for political or campaign purposes by any influence, or the discharging or demoting or reducing the salary or wages of any employee or employees for failure to contribute portions of their salary or wages, or by putting such employee or employees in fear in any manner.

§ 4. Every assessment and each act of intimidation or coercion shall constitute a separate offense.

§ 5. It shall be the duty of all Circuit Court Judges of the State of Kentucky to instruct the grand juries of their

Courts regarding this Act each time that a Grand Jury is instructed.

§ 6. This Act shall become effective upon its passage and approval as required by law.

§ 7. All laws or parts of laws in conflict herewith are hereby repealed.

Said Substitute was adopted.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Roy Conway	Ben Grogan
C. W. Anderson, Jr.	Herbert Cook	Jas. T. Hamilton
H. T. Baker	Harry Davis	C. L. Hammons
W. T. Baker	Sam Dever	W. L. Hampton, Jr.
B. F. Bedford	Stanley S. Dickson	Thomas W. Hines
Reuben J. Boling	George W. Dunlap	Price Holbrook
Douglas Bolling	Howard G. Early	Clyde S. Howard
Ollie J. Bowen	Garland Embry	Ira W. Hulette
Wallace Brown	Clarence E. Evans	John M. Hunnicut
Dr. R. A. Byers	Walter R. Fannin	Ben W. Johnson
Jas. C. Carter	T. P. Fitzpatrick	J. H. Jones
V. O. Chandler	H. Myer Garner	O. C. Jones
Roscoe Claxon	G. W. Garrett	R. T. Kirkman
George S. Clay	James Garnett, Jr.	J. F. Ladd
J. A. Coleman	Eugene Gough	Leslie Larrimore

Robert E. Lee	Russell O'Neill	Bruce Sloan
M. T. McCarthy	Mel Petry	H. C. Steely
T. B. McConnell	A. W. Pfeiffer	Henry Stewart
J. L. McDermott	J. C. Ramey	Dr. H. S. Swope
Lloyd MacDonald	Hobart Rayburn	W. R. Tapp
Elmer McGlothen	Harry C. Records	J. J. Thomas
C. S. Matherly	L. K. Rice	R. Van Bever, Jr.
Duke Mayfield	Wade H. Riley	S. J. Wagner
G. S. Milam	Joe E. Robinson	Henry Ward
W. H. Miller	John C. Robinson	L. R. Wells
John B. Mollett	A. W. Ross	W. G. Williams
Tyler Munford	Carl Scheben	Charles Wylie
Rodes K. Myers	Ray O. Shehan	
J. C. Nickell	P. L. Sidebottom	—85

Resolved that the title thereof be as amended.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Myers moved that the Speaker appoint a Committee on the part of the House to make arrangements for the return Ball of the Assembly Ball Series.

Said motion was agreed to.

Thereupon the Speaker appointed Messrs. Myers, Garnett and Munford as members constituting said Committee.

Mr. Brown moved that the Rules of this House be suspended for the purpose of taking up for consideration the Calendar.

Said motion was agreed to.

Thereupon the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 188. An Act to amend and re-enact subsection 98a-2 and subsection 98a-5 of Section 98 of Carroll's Kentucky Statutes, same being an Act of the Kentucky Legislature at its 1918 session; regulating the qualifications and admission to practice law of applicants in the State of Kentucky.

H. B. 161. An Act to provide the judges of the Court of Appeals and Commissioners with permanent offices, etc.

S. Res. 14. Resolution providing for additional employees of the Senate.

With a Committee Amendment thereto.

H. B. 111. An Act to amend and re-enact Section 2739g-94, Supplement to Carroll's Kentucky Statutes, 1933, relating to jurisdiction of offenses for the trial of violations of the Motor Vehicles law.

H. Res. 17. Resolution authorizing R. E. Stanley to sue the Commonwealth of Kentucky and the State Highway Commission.

H. Res. 12. Resolution authorizing Bud Philpot to sue the Commonwealth.

H. Res. 24. Resolution authorizing D. G. Young to sue the Commonwealth and State Highway Commission.

H. Res. 18. Resolution authorizing the personal representative of Winfred Hoover to sue the Commonwealth.

H. Res. 8. Resolution authorzing Francis Phelps to sue the Commonwealth.

H. Res. 23. Resolution authorizing Reverend J. L. Madison to sue the Commonwealth.

H. Res. 20. Resolution authorizing Carl Wright, administrator of estate of Otis Wright to sue the Commonwealth.

H. Res. 16. Resolution authorizing R. A. Bodkin and W. H. Coathes to sue the Commonwealth.

H. B. 106. An Act to amend and re-enact Section 4389 subsection 17 and 4389 and subsection 24, Baldwin's Revision of Carroll's Kentucky Statutes, providing for the election of Board members in county school districts.

H. B. 75. An Act relating to the appointment of deputy sheriffs by adding thereto provisions prohibiting compensation of sheriffs and deputy sheriffs by private persons, etc.

H. B. 203. An Act exempting persons engaged in, connected with or employed on any newspaper from disclosing in any legal proceeding or trial before any Court, Grand Jury or Petit Jury, etc.

H. B. 236. An Act providing that the publication of a fair and impartial report or the publication of the whole or a fair synopsis of any bill, report, etc.

H. B. 130. An Act prohibiting the expenditures of public money on account of insurance against fire or tornado on state property, etc.

H. B. 221. An Act to amend and re-enact Section 3713, Chapter 89a, Carroll's Kentucky Statutes, 1930 Edition, entitled "Municipal Corporations; Creation and Organization."

H. B. 187. An Act relating to renewal of embalmers and undertakers license and the fees therefor.

H. B. 147. An Act to amend Chapter 42, page 332, et seq., Acts of General Assembly, Regular Session 1932, which Act is now Section 415b-6, Supplement to 1933, and relating to Confederate Soldiers, etc.

With a Committee Amendment thereto by way of substitute therefor.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Mr. Davis moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, JANUARY 28, 1936

The House was opened with prayer by Mr. Carl Scheben of the county of Campbell.

The roll was called and the following members answered to their names, viz.:

F. T. Allen	W. T. Baker	Douglas Bolling
Henry H. Allen	G. M. Ballard	Ollie J. Bowen
C. W. Anderson, Jr.	B. F. Bedford	Wallace Brown
H. T. Baker	Reuben J. Boling	Dr. R. A. Byers

Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
Chas. P. Farnsley
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
James Garnett, Jr.
Ferd A. Gnau
Eugene Gough
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
D. T. Matlack
Duke Mayfield
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

Mr. Davis moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Ballard moved that the Rules be suspended and that a bill entitled:

H. B. 122. An Act to repeal Chapter 129 of Carroll's

Kentucky Statutes, providing for the consolidation of the office of Jailer with that of Sheriff in each county of the State.

Be laid on the Clerk's desk.

Said motion was agreed to.

Mr. Hulette moved that the privilege of the floor be extended to Judge L. Boone Hamilton.

Said motion was agreed to.

Mr. Gnau moved that the privilege of the floor be extended to Mr. Laurence Grauman.

Said motion was agreed to.

Mr. Silvers moved that the privilege of the floor be extended to Hon. Samuel H. Cole of Fayette County.

Said motion was agreed to.

Mr. Clark moved that the privilege of the floor be ex tended to Mr. Frank Jones.

Said motion was agreed to.

Mr. Myers moved that the privilege of the floor be extended to Messrs. Emmet Hatter of Simpson County and Charles R. Bell of Warren County.

Said motion was agreed to.

Mr. Fitzpatrick moved that the privilege of the floor be extended to Mr. J. L. King, former member of this House from Hart County.

Said motion was agreed to.

Mr. Davis moved that the privilege of the floor be extended to Mr. William Renfro of Ashland, Kentucky.

Said motion was agreed to.

Mr. Ward moved that the privilege of the floor be extended to Mr. John Kirksey of McCracken County.

Said motion was agreed to.

Mr. Garner moved that the privilege of the floor be extended to Mr. Lewis Combest of Casey County.

Said motion was agreed to.

Upon a call of the Counties and Legislative Districts, the following bills were introduced ordered printed and referred as follows, viz.:

By Mr. Wells.

H. B. 440. An Act relating to revenue and taxation; providing a license tax on the business or occupation of cemetery memorial dealers and on salesmen selling or offering to sell cemetery monuments, memorials or markers or soliciting orders therefor and providing a penalty for the violation of the provisions thereof.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, as follows:

§ 1. That it shall hereafter be unlawful for any person, firm, association or co-partnership or agent or salesman therefor to engage in the business or occupation of cemetery

memorial dealer or salesman of cemetery monuments, memorials or markrs, or to sell, offer to sell, or solicit any order or orders therefor, in this state, without first procuring and having a license issued by the county court clerk of the county of his residence authorizing him so to do, if he be a resident of this Commonwealth, and paying the license tax therefor, and a non-resident of this state so doing shall first procure a license and pay said tax in the county in this state in which he or it has or maintains his or its chief business or place of business and all of said dealers, salesmen and agents shall at all times have and submit said license to the inspection of any Commonwealth or county attorney or any conservator of the peace or police officer demanding to see same.

§ 2. Any person desiring to act as a cemetery memorial dealer, or agent for any dealer, or salesman of cemetery monuments, memorials or markers in this state shall file with the county court clerk of the county of his residence, if he be a resident of this state, and if not but intending so to engage then with the said clerk in the county where he has or intends to conduct his chief business or place of business, an application for a license authorizing him so to do, setting forth the following facts:

(a) The kind of license desired.

(b) The name and address of the applicant, and if the applicant be a firm or co-partnership the name and postoffice address of each member thereof together with the chief place of business of said firm; if the applicant be a corporation its chief place of business and the name and address of its president, vice-president, secretary and treasurer, together with the name and address of such person as has been designated with the Secretary of State on whom process may be served, if any, and shall pay to said clerk at said time the license tax provided in this act.

(c) All applications for such licenses shall be verified by the applicant and every application for a dealer's license in this state under this Act shall be supported by the affidavit

of some reputable resident of the county in which application is made that the applicant is trustworthy, and the application for such salesman's license shall be accompanied with like affidavit as to his trustworthiness and in addition thereto with the affidavit of his employer or the chief officer thereof, if such employer is a firm or corporation, stating that the applicant is trustworthy.

"Person" as used in this Act shall be construed to mean and include any individual, firm, co-partnership, association of persons or corporation who shall engage in the business or do any act herein named.

"Dealer" as used in this Act shall be construed to mean and include any individual, firm, co-partnership or corporation who sells or offers for sale at retail any cemetery memorial, monument or marker in this state or solicits such business and has a regular place of business where such memorials are displayed and lettered.

"Salesmen" or "agent" as used in this Act shall be construed to mean any person other than a dealer as herein defined who sells or offers to sell at retail, or who solicits any order or orders for cemetery memorial or memorials, monument or monuments, or marker or markers in this state, but shall not include the pesident, vice-president, secretary or treasurer of a corporation, or the designated member of a co-partnership or association who engages in business as a dealer under his or its dealer's license.

§ 3. The name and address of each of said persons shall be set out in the license of such dealer or salesman respectively.

§ 4. Applicants for a cemetery memorial dealer's license shall when said application is made to the clerk for a license as herein provided pay to said clerk a fee of twenty-five ($25.00) dollars and each applicant for a license as a cemetery memorial salesman shall, when his application is made to said clerk for a license as herein provided, pay to said clerk a fee of twenty ($20.00) dollars, and the clerk shall,

if said application meets the requirements of this Act, issue to such person, firm or corporation, such license, for which he shall charge and receive from such applicant a fee of one ($1.00) dollar for each license so issued. The license herein mentioned shall only authorize the person or persons composing a firm or co-partnership, corporation or members thereof and salesmen as herein named to do and perform the acts herein named during the calendar year in which issued, provided it shall be lawful for the clerk to issue to any person who makes a proper application within one month before January 1st of any year for which a license under this Act for the entire succeeding year shall issue which license shall be authority to such person to so engage at any time during said succeeding year.

§ 5. The license tax herein imposed shall be reported by said clerk at the time and in the manner provided for the report of other license taxes collected by him as such clerk due the Commonwealth. Any licensed cemetery memorial dealer may upon any change in the membership of his business firm, co-partnership or corporation or of any of the officers thereof after the issual of such license, procure a transfer thereof to such person as may have succeeded to the position, office or place held by him in such business firm, association, or corporation and any licensed cemetery memorial salesman may within such time procure a transfer thereof to the employment of another dealer or person licensed as such by making such application, or applications, in writing to said clerk, setting out said facts and changes and paying to said clerk a fee of one ($1.00) dollar and the change shall be indorsed on said license and the clerk shall keep a record of all licenses issued under the provisions of this Act as well as all such transfers, which records shall show the names and postoffice addresses of all persons licensed under said Act and all persons authorized to do business under said license.

§ 6. Any person who shall engage in any business or occupation herein named or solicit an order for any article,

cemetery memorial, monument, marker, or sell same, or do any other act herein forbidden or who shall advertise or hold himself out as such dealer or salesman without first having procured a license so to do and paid the license tax herein provided, or who shall otherwise violate any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not less than twenty ($20.00) dollars nor more than two hundred ($200.00) dollars, for each offense which may be recovered by warrant, information or by indictment.

§ 7. All licenses issued under this Act shall expire at the close of the calendar year for which issued.

By Mr. Grogan:

H. B. 441. An Act relatng to banks and bankng, being an act to amend and re-enact Section 583, Kentucky Statutes, Carroll's Edition, 1930, entitled "Indebtedness of person to; highest amount permitted certain bills of exchange not included."

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 583 of the Kentucky Statutes, Carroll's Edition, 1930, be and the same is hereby amended and re-enacted so that said section when amended and re-enacted shall read as follows:

No bank shall permit any of its stockholders, or any person, company or firm, including in the liability of the company or firm the liability of the individual members thereof, directly or indirectly, to become indebted to it in a sum exceeding twenty per cent of its capital stock actually paid in, and its actual amount of surplus, unless such borrower pledge with it good collateral security, or execute to it a mortgage upon real or personal estate, which at the time is of more than the cash

value of such loan or indebtedness above all other incumberances, and if the borrower is a director or officer of such bank he shall not be permitted to become indebted to it in excess of ten per cent of its paid-up capital stock, without securing the excess by the mortgage or pledge of real or personal property double in value the amount of such excess; and in no event shall the indebtedness of any officer or directer of such bank, or any other person, company or firm, including in the liability of the company or firm the liability of the individual members thereof, exceed thirty per cent of its paid-up capital and actual surplus and no officer, director, agent or employee of any bank shall use or borrow directly or indirectly for himself, or for any firm or partnership of which he is a member more than five hundred dollars without the express authority and permission previously obtained of a majority of the Directors or of the members of the Loan or Discount Committee, which permission shall be evidenced by the written signatures of such directors, the borrower not voting or participating in any way in passing upon any loan or discount in which he may be interested. The Board of Directors may require that written permission be secured from the Board or Loan Committee in each instance when an employee, officer, director or agent of the bank desires a loan regardless of the amount involved; provided, that the discount of bills of exchange drawn against actually existing value and the purchase or discounting of commercial or business paper actually owned by the person negotiating the same shall not be considered as borrowed money within the meaning of this section in fixing the limit of indebtedness of any person, firm or corporation, selling or negotiating said paper to the bank.

By Mr. McDermott.

H. B. 442. An Act providing for the licensing and regulating of the shoe building trade, requiring the registration of owners, show rebuilder, repairmen and apprentices; exemp-

tions from the operation of the Act; qualifications for the registration of shoe builders and repairmen; registration of apprentices; providing for the examination and qualifications of shoe rebuilders, repairmen and apprentices; providing for the present shoe rebuilders, repairmen and apprentices in this State; providing for the establishment of a board of shoe rebuilders examiners to be known as the Kentucky State Board of Shoe Rebuilders Examiners; for the hearing by said Board of refusal, renewal, or suspension of any certificate of registration; for perfecting appeal from the Board; for fees to be charged for the issuance of registration certificates and for fee to accompany application for registration; for penalty for violation of any provision of this Act; for compensation of members of Board and method of appointment by Governor; for organization of said Board, its officers and their duties; for delegating to it power to make rules and regulations for the administration of this Act; for the keeping of the records of the Board's meetings and its publicity and the method of calling such meetings; for the Board's Secretary, his duties and compensation and the compensation of each member of the Board and limiting the salary of any Inspector, Clerk or Assistant for the declaration by the courts of unconstitutionality of any section or part of this Act not affecting any part of this Act not declared unconstitutional.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Par. 1. *Requirement of Registration.*

(a) That after July 1, 1936, no person shall practice the shoe building trade, without a certificate of registration as a registered shoe rebuilder or repairman issued pursuant to the provisions of this Act, by the Board of Shoe Rebuilders and Examiners, hereinafter established. This Act shall apply to any shoe rebuilder or repairman operating in any town or city of the fifth or sixth class.

(b) After July 1, 1936, no person shall serve or attempt to serve as an apprentice without a certificate of registration as a registered apprentice issued by the board.

(c) After July 1, 1936, it shall be unlawful to operate a a shoe rebuilding or repair shop unless it is at all times under the direct supervision and management of a registered shoe rebuilder or repairman.

Par. 2. *Practice defined.*

No person shall be permitted to practice the occupation of shoe rebuilder, remodeler, or repairman, or be granted a certificate of registration to practice as a shoe rebuilder, remodeler or repairman who has not complied with the requirements of this Act and

Who is qualified under Section five of this Act.

Who is at least eighteen years of age.

Who is of good moral character and temperate habits.

Who has practiced as a registered apprentice for eighteen months under the immediate supervision of a registered memmer of his occupation.

Who has passed a satisfactory examination conducted by the board to determine his or her fitness to practice the occupation of shoe rebuilder, remodeler or repairman.

(a) Shoe Rebuilder, as used herein, means the rebuilding, remodeling, repairing, and the performance of all work incidental thereto, of any and all kinds of footwear.

(b) Repairman, as used herein, means a person capable of doing any or all of the work of rebuilding, remodeling and repairing any and all kinds of footwear.

Par. 3. *Practice of apprentices.*

No registered apprentice may independently engage in the practice of rebuilding, remodeling or repairing, or do any or all of the things constituting the same, but he may do any or all of the acts constituting rebuilding, remodeling and repairing, under the immediate supervision of registered shoe rebuilder or repairman, and anly one shall be employed in any licensed shop.

Par. 4. *Exemptions.*

All persons working for, or under the direct supervision of the State of Kentucky, the public institutions thereof, or of the Federal Government, working at rebuilding, remodeling and repairing footwear of any kind shall be exempt from the provisions of this Act.

Par. 5. *Qualifications for Certificate of Registration as Registered Apprentice.*

(a) A person is qualified to receive a certificate of registration as a registered apprentice who is sixteen and one-half (16½) years of age.

(b) Who is of good moral character and temperate habits.

(c) Who is not infected with a contageous disease.

(d) Who has passed a satisfactory examination conducted by the Board to determine his fitness to practice as a registered apprentice.

Par. 6. *Application for Examination.*

Each applicant for examination shall make application to the Board on blank forms prepared by the Board, such application to contain proof under applicant's oath of the particular qualifications of the applicant.

Par. 7. *Examination.*

The Board shall conduct examinations of applicant for certificates of registration to practice as a registered shoe rebuilder, remodeler, repairman and apprentice, not less than two times a year, at such times and places as the Board may determine.

The examination shall be of such character as to thoroughly test the applicant's ability both practically and theoretically.

Par. 8. *Issuance of certificate.*

Whenever the provisions of the Act herein have been complied with, the board shall issue a certificate of registration to the applicant.

Par. 9. *Non-Residents.*

Persons having practiced shoe rebuilding, remodeling and repairing in another state or country.

(a) A person who is at least eighteen (18) years of age

(b) Who is of good moral character and temperate habits; and who has a license or certificate of registration as a practicing shoe rebuilder, remodeler or repairman from another state or country, which has substantially the same requirements for licensing or registering; or who can prove by affidavits that he has practiced as rebuilder, remodeler or repairman in another state or country for at least three years prior to making application in this state; shall upon payment of the required fee, be issued a permit to practice until he is called by the board for examination.

Par. 10. *Present Practioner.*

Any person, resident of this state, who either for one year immediately preceding July 1, 1936, was continuously engaged in the practice of shoe remodeling, rebuilding or repairing of footwear at one or more established places of business in this State, shall be granted a certificate of registration, without examination, by making application to the board on or before the first day of July, 1936, and paying the required fee of $10.00 and shall be given credit for time previously spent in such practice.

Par. 11. *Display of Certificate.*

Every holder of a certificate of registration shall display it in a conspicuous place adjacent to or near his place of work.

Par. 12. *Refusal and Revocation of a Certificate.*

The board may either refuse to issue or renew or may suspend or revoke any certificate of registration for any one or combination of the following causes:

(a) The conviction of a felony shown by a certified copy of the judgment from the court of conviction;

(b) Gross incompetency;

(c) Continued practice by a person knowingly having an infection or contageous disease;

(d) Habitual drunkenness or habitual addiction to habit forming narcotic drugs.

(e) Failure to keep the premises used for his business in a sanitary condition, and the violation of any of the provisions of this act.

Par. 13. *Hearing by the Board.*

The board may neither refuse to issue, nor refuse to renew nor suspend, nor revoke any certificate or registration, however, for any of these causes unless the person accused has been given at least twenty days notice in writing of the charge against him or her and a public hearing by the board.

Upon the hearing of such proceeding the board may administer oaths and may procure by its supoenas, the attendance of witnesses and the production of relevant books and papers.

If the applicant is aggrieved by the action of the board, he or she may appeal to the Franklin Circuit Court at Frankfort, Kentucky, by filing with the clerk of said court a certified copy of the written charge or charges, as heard by the board, said board being required to make certify copy of said charge or charges on demand of applicant and when same is lodged with the clerk of said circuit court at Frankfort, Kentucky, and advance cost required paid, within ten days after the board's finding the appeal will have been perfected and same shall be docketed and will stand for trial.

Par. 14. *Fees.*

The fee to be paid by an applicant for an examination to determine his or her fitness to receive a certificate of registration to practice shoe rebuilding, remodeling and repairing, is Ten ($10.00) Dollars, and for the issuance of a certificate Five ($5.00) Dollars.

The fee to be charged an applicant for an examination to determine his or her fitness to receive a certificate of registration to practice as an apprentice is Five ($5.00) Dollars, and for the issuance of a certificate One ($1.00) Dollar.

The fee to be paid for the renewal of a certificate of registration to practice shoe rebuilding, remodeling and repairing is Three ($3.00) Dollars, and for the restoration of an expired certificate Five ($5.00) Dollars.

Par. 15. *Penalty for Violation of Any of the Provisions of this Act or Any Rule or Regulation Promulgated by the Board.*

Any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed One Hundred ($100.00) Dollars, and not less than Ten ($10.00) Dollars.

Par. 16. *There is hereby created a Board of Shoe Rebuilders, Remodelers and Repairers, to be Known as the Kentucky State Board of Shoe Rebuilders, Remodelers and Repairers Examiners.*

The governor will appoint as members of said Board: One master shoe rebuilder, remodeler and repairer, one unorganized master shoe rebuilder, remodeler and repairer, and one journeyman shoe rebuilder, remodeler and repairer.

Each member must be resident of the Commonwealth of Kentucky at the time of his or her appointment, and must also have practiced the profession for five years immediately prior to appointment.

Two members of the first board shall serve for two years from the date of his or her appointment and qualification and the other two years members appointed shall serve for four years from the time of his or her appointment and qualification. At the expiration of the term of office of the two members appointed for two years their successors shall be appointed for a term of four years thereafter. At the expiration of the term of office of the two members whose terms of office expire in four years, their successors shall be appointed for a term of four years thereafter. The governor will make such appointments within thirty days after this Act.

Members appointed by the governor to fill vacancies shall

be appointed from a list of three submitted by the one of the four heretofore mentioned organizations not represented on said board by reasons of said vacancy, and he or she shall hold office during the unexpired term of their predecessor but this provision does not preclude reappointment.

Par. 17. *Officers, Compensation, Etc.*

The appointees to the board shall meet within ten days after their appointment and perfect an organization by electing a president and secretary and adopting reasonable rules and regulations for the transaction of business and for putting into effect the provisions of this Act. It shall use and adopt a common seal for authentication of its orders and records and establish and keep an office at Frankfort or elsewhere in Kentucky.

The Secretary shall keep a record of all proceedings of the board and within ten days, after the close of every meeting of the board will deposit with the State Treasurer of Kentucky all money collected and take his receipt therefor and all money received by the secretary at any and all times shall be so deposited. The secretary of the board shall execute the State of Kentucky a good and sufficient bond, approved by the Governor, in the sum of Ten Thousand ($10,000.00) Dollars, to insure the faithful performance of his or her duties.

A majority of the members of the board present in meetings legally assembled may perform and exercise all the duties and powers devolving upon the board. The secretary of the board shall receive a salary of not to exceed three thousand ($3,000.00) Dollars per annum, and shall be reimbursed for his or her necessary traveling expenses incurred and incident to the actual discharge of his or her duty, and each member of the board shall receive as compensation for actual attendance on legally assembled meetings of the board ten ($10.00) dollars, for each day such member attends as shown by the record and shall be reimbursed for the necessary traveling expenses to be paid only from the fund created by fees collected in the administration of this act and subject to such

restrictions as is required of other officers of the Commonwealth as to traveling expenses.

The board shall have authority to employ such inspectors, clerks and assistants as it may deem necessary to carry out the provisions of this Act; provided however that such employment is with the knowledge to such person or persons so employed that a pro-rata of the fees to be collected will insure such payment and not be in excess of receipts. The board shall meet quarterly at the same time and place as provided in section 9 of this Act, and shall then conduct all examinations of applicants. It will conduct such other business as that is before the board to meet for any urgent purpose, a call meeting may be had on notice from the president or should president refuse call meeting of the board to meet such urgent necessity, then in that event a notice from the secretary signed by any two members of the board will legally convene said board for said purpose, but no other business can be transacted at such call meetings except the business specified in the notice.

Par. 18. The board is authorized to make and promulgate any rule or regulation for its opinion necessary, not in conflict with law, for the purpose of effectively enforcing the provisions of this Act, and when such rules or regulations is passed and published by said board, it shall be subject to enforcement the same as if incorporated in and made a part of this act and said rules and regulations shall include the prescribing of sanitary requirements for shoe rebuilders, remodelers and repairers.

Any member of the board, or its agents or assistants when authorized in writing by the Board, shall have the authority to enter upon the premises and into any shop of shoe rebuilders, remodelers and repairmen, at any reasonable time during business hours for purpose of official inspection. A copy of such rules and regulations so promulgated by the board shall be provided the owner or manager of such shops

and schools, and by such owner or manager displayed in a conspicuous place in each shop or school.

The board shall keep accurate and complete record of all its proceedings and especially its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration. Such record shall contain the name, place of business and residence of each registered shoe rebuilder, remodeler and repairman and registered apprentice and each registered shoe rebuilder, remodeler and repairman, and the date and number of his or her certificate of registration. This shall be a public record open to public inspection at all reasonable times.

Par. 19. *Partial Unconstitutionality.*

If any section or part of this act on review by the courts of the State should be declared to be in conflict with the constitutions of the State, it shall not effect the validity or force of any other section or part thereof not declared to be unconstitutional.

By Mr. Silvers:

H. B. 443. An Act relating to railroad companies and prohibiting railroad companies from requiring any of their employees to have their time-pieces cleaned oftener than once every two years at the expense of such employee and providing the penalty for the violations of this Act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any railroad company to require any of its employees to have their time pieces oftener than once every two years at the expense of such employee. If any railroad company does by its rules or regulations require a more frequent cleaning of time-pieces of any

employees such railroad company shall pay the cost thereof without deducting any part thereof from the salary or compensation of such employee.

§ 2. Any railroad company violating any of the provisions of this Act shall be fined not less than ten dollars ($10.00) nor more than fifty dollars ($50.00) for each offense.

By Mr. Shehan:

H. B. 444. An Act authorizing and empowering Lavina Pope to file suit against the Commonwealth of Kentucky and the State Highway Commission of Kentucky.

Said bill is as follows, viz.:

Whereas, during one of the years 1931, 1932, and 1933, the State Highway Commission of Kentucky built and constructed a public highway in Harlan County, State of Kentucky, from the city of Harlan in said county and state up the waters of Martin's Fork to the Kentucky-Virginia state line; and,

Whereas, the said Lavina Pope during said years was and now is the owner of the following described land and real estate, to-wit:

Beginning on an elm on the north line of the Louisville and Nashville Railroad Company's right-of-way up Martin's Fork and on the south side of said Martin's Fork; thence eastwardly with said north line of said right-of-way to Bob's Creek; thence northwardly down with Bob's Creek to Martin's Fork; thence down Martin's Fork River to the beginning.

Whereas, the said boundary or tract of land borders on Martin's Fork of the Cumberland River on one side; and,

Whereas, the said state highway was constructed up and along said Martin's Fork on the bank of said Martin's Fork opposite to the said land above described; and,

Whereas, in constructing the said highway on said oppo-

site bank of Martin's Fork, the State Highway Commission of Kentucky dynamited and removed large amounts of dirt, trees, rocks, ground, and debris from the right-of-way for said road; and,

Whereas, in so doing the said State Highway Commission of Kentucky placed, dumped and dynamited all or a large part of said dirt, rocks, trees, ground, and debris into the bed and channel of said Martin's Fork River, thereby forming an obstruction in said Martin's Fork and causing the waters of same, adjacent to and above said land, to dam and accumulate and overflow the said land, and changing the said Martin's Fork River from its usual, customary, and natural course and channel and diverting same over and upon the said land and real estate of Lavina Pope and causing same to flow over, upon, and through said land, and thus damaging, ruining, and destroying said tract of land; and,

Whereas, no compensation whatever has ever been receive by or paid to the said Lavina Pope or for her use and benefit by the said State Highway Commission of Kentucky or the Commonwealth of Kentucky or any one whatsoever, for the said damage to her land and real estate; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Lavina Pope, in her own right and name, be and she is hereby empowered and authorized to file and prosecute appropriate action or actions against the Commonwealth of Kentucky and/or the State Highway Commission of Kentucky, either jointly or severally, for the purpose of determining the liability of the Commonwealth of Kentucky and/or the State Highway Commission of Kentucky for such injuries, if any there be.

Such action or actions may be brought in the circuit court of the county wherein said tract of land lies and is situated and said action or actions may, if more than one, be joined in the same suit or with any other action or actions pending in

said circuit court. The Commonwealth of Kentucky may be brought before the court in any such action or actions by serving the summons or summonses on the Governor or the Lieutenant Governor of the Commonwealth of Kentucky, and the State Highway Commission of Kentucky may be brought before the court in any such action or actions by serving the summons or summonses on any agent or representative of the said State Highway Commission of Kentucky in whatever county they or either of them may be found, and she is hereby empowered and permitted to prosecute said action or actions in said court until finally terminated or otherwise adjusted.

By Mr. Shehan:

H. B. 445. An Act to amend and re-enact Section 2739j-21a, Carroll's Kentucky Statutes, 1930 Edition, which is paragraph 21a of Chapter 112, found on page 361 of the Acts of March 5, 1926, of the Kentucky Legislature.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2739j-21a, Carroll's Kentucky Statutes, 1930 Edition, be amended and re-enacted by striking therefrom the following words, "providing that on said casual trips no one shall be allowed to pick up any passengers along the route nor be permitted on the return trip to haul any person or persons other than those included in the original trip." So that after said Section 2739j-21a is so amended and re-enacted it will read as follows:

"2739j-21a. 'Casual trips' as used in this act and section means that any person, firm or corporation not operating under a certificate between a fixed termini or over a regular route may operate over any route between a fixed termini where other person or persons hold a certificate or certificates."

By Mr. Shehan:

H. B. 446. An Act to amend and re-enact Section 2739l-15, Carroll's Kentucky Statutes, 1933 Supplement, which is Paragraph 7 of Chapter 99 of the Acts of the Kentucky Legislature for the year 1932.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 2739l-15, Carroll's Kentucky Statutes, 1933 Supplement, be amended and re-enacted by striking therefrom the following words, "and on such casual trips the operator, or the driver of such motor vehicle, shall not pick up any passengers along the route and shall not on the return trip carry any passengers other than those carried on the original trip." So that after said Section 2739l-15 is so amended and re-enacted it will read as follows:

"2739l-15. No operator of a motor vehicle for the carriage of passengers for hire, not holding a certificate of public convenience and necessity issued by the Commission or other regulatory body of the State and operating between fixed termini or over regular routes, shall operate in competition with the holder of a certificate as aforesaid over the route, or any part thereof, covered by such certificate, except for casual trips thereon or thereover. The violation of the provisions of this section shall constitute a violation of this act, punishable as in Section 6 (Kentucky Statutes 2739l-6) hereof provided."

By Mr. Shehan:

H. B. 447. An Act to amend and re-enact Sections 2739l-2 and 2739l-3, Carroll's Kentucky Statutes, 1933 Supplement, which are Paragraphs 2 and 3 of Chapter 78 of the Acts of the Kentucky Legislature for the year 1930.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of Kentucky:

§ 1. That Section 2793l-2, Carroll's Kentucky Statutes, 1933 Supplement, be amended and re-enacted by adding thereto after the word "Commissioner" and before the words "the name" in line 12 of said Section, the following words, "through the clerk of the county where the automobile for which said license plates are sought has been registered by the owner as provided in Section 2739j-2a, Carroll's Kentucky Sattutes, 1930 Edition," and that Section 2739l-3, Carroll's Kentucky Statutes, 1933 Supplement, be amended and re-enacted by adding thereto after the first literary paragraph thereof and immediately after the words, "operation of said motor vehicle", the following words, "provided, however, that for each U-Drive It, Taxi-cab, or Jitney, the said bond shall be in the penal sum of One Thousand Dollars ($1,000.00), for the death of or injury to any passenger or passengers or other persons, and the further sum of Five Hundred ($500.00), for any injury to property in connection with the operation of said U-Drive It, Taxi-cab, or Jitney," and by striking therefrom the following words from the second literary paragraph thereof, "Instead of such bond, the Commissioner shall accept a policy of insurance in any insurance carrier authorized to do business in this Commonwealth; provided however that under the terms of said policy the owner of such vehicle shall be insured against damages for personal injuries or death resulting therefrom, in the sum of at least Five Thousand Dollars ($5,000.00) and property damages in the sum of at least One Thousand Dollars ($1,000.00), by the Insurance Commissioner, or he may provide any other contract in writing deemed by said Commissioner adequate by which any surety company or individual shall assume the liability prescribed by this section," and substituting therefor the following words, "Instead of such bond, the Commissioner may accept and file a policy of insurance

issued by any insurance company or carrier authorized to do business in this Commonwealth, or he may accept any other contract in writing deemed by said Commissioner to be adequate, by which such insurance company or carrier or any surety company or individual shall assume the liability prescribed by this section." So that after said Sections 2739l-2 and 2739l-3 are so amended and re-enacted they will read as follows:

"2739l-2. No corporation, person or firm shall hereafter engage in the transportation of persons for hire by motor vehicle on any public highway or street of any municipality in this state without having paid to the Commissioner of Motor Transportation the fee provided in subsection 27 of Chapter 12 of the Acts of 1926 (K. S. 2739j-27). Before said Commissioner shall issue the license plate referred to in the above act, the applicant shall be required to file with said Commissioner through the clerk of the county where the automobile for which said license plates are sought has been registered by the owner as provided in Section 2739j-2a, Carroll's Kentucky Statutes, 1930 Edition, the name of the owner of the corporation, person or firm which intends to operate said motor vehicle or vehicles, the name of the chief officer of the corporation, the members composing the partnership, or the person owning said vehicles and to file with the Commissioner a list of all drivers employed. That if changes are made in the drivers or any additional drivers are employed, the person, firm or corporation shall furnish a list of said drivers to the said Commissioner. Provided, however, that no person shall be considered as a regular driver unless he is hired for a period of at least thirty days."

"2739l-3. Before any license is granted, the applicant shall furnish security by filing with the Commissioner of Motor Transportation, good and sufficient bond with adequate surety payable to the Commonwealth of Kentucky, which shall bind the obligor therein to pay any final judgment

rendered against any such motor carrier arising out of the death or injury to any passenger or passengers, or loss or damage to property while in transit, or injury to other persons or property, or any act or omission connected with the operation of such motor carrier, which bond shall be in the penal sum of Five Thousand Dollars ($5,000.00), for each motor vehicle operated, for the death or injury to any passenger or passengers or other persons, and the sum of One Thousand Dollars ($1,000.00), for each vehicle on any property injury in connection with the operation of said motor vehicle, provided, however, for each U-Drive-It, Taxi-cab or Jitney, the said bond shall be in the penal sum of One Thousand Dollars ($1,000.00), for the death of or injury to any passenger or passengers or other persons, and the further sum of Five Hundred Dollars ($500.00), for any injury to property in connection with the operation of said U-Drive-It, Taxi-cab or Jitney.

"Instead of such bond, the Commissioner may accept and file a policy of insurance issued by any insurance company or carrier authorized to do business in this Commonwealth, or he may accept any other contract in writing deemed by said Commissioner adequate, by which any insurance company or carrier or any surety company or individual shall assume the liability prescribed by this section.

"The Commissioner may exempt in whole or in part, from the requirements of this paragraph, any motor carrier upon application for such exemption and upon showing to the Commissioner to his satisfaction that by reason of the financial ability of the motor carrier or otherwise, there exists due insurance for the payment of any and all damages for which it, they, he or she may be liable as a result of the negligent operation of the proposed service to the extent of the insurance or bond herein required. The exemption herein provided shall be made only by written order of the commissioner. The commissioner may from time to time require

statements of financial ability of such motor carrier, and may, upon ten days' notice in writing, for cause, revoke his order granting such exemption, in which case said motor carrier shall immediately comply with the requirements of this section."

By Mr. Shehan:

H. B. 448. An Act to amend and re-enact Sections 2739j-63, 2739j-64, and 2739j-70, Carroll's Kentucky Statutes, 1933 Supplement, which are paragraphs 2 and 3 of Article 3 and paragraph 2 of Article 4 of Chapter 104 of the Acts of the Kentucky Legislature for the year 1932.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2739j-63, Carroll's Kentucky Statutes, 1933 Supplement, be amended and re-enacted by adding to the end thereof the following words: "through the clerk of the county in which the owner registered his automobile under Section 2739j-2a, Carroll's Kentucky Statutes, 1930 Edition," and that Section 2739j-64, Carroll's Kentucky Statutes, 1933 Supplement, be amended and re-enacted by adding thereto after the word "made" in the first line of said section and before the words "in the manner" in the second line of said section, the words "through said clerk," and adding thereto after the word "and" and before the word "said" in the third line of said section the following words, "said application shall be accompanied by all fees required by law of such applicant, same to be returned to the applicant in case the Commission fails or refuses to issue him a permit, and," and that Section 2739j-70 be amended and re-enatced by adding thereto after the word "Commission" and before the word "for" the following words, "through the clerk where the owner has reg-

istered his automobile." So that after said Sections 2739j-63, 2739j-64, and 2739j-70 are so amended and re-enacted they will read as follows:

"2739j-63. No contract carrier shall operate any motor vehicle for hire for the transportation of persons or property on any public highway in this state without having obtained a permit from the Commission, through the clerk of the county in which the owner registered his automobile under Section 2739j-2a, Carroll's Kentucky Statutes, 1930 Edition.

"2739j-64. Application for permits shall be made through said clerk in the manner and form provided for in the Commission's regulations and said application shall be accompanied by all fees required by law of such applicant, same to be returned to the applicant in case the Commission fails or refuses to issue him a permit, and said Commission may, if it deems it advisable, require a public hearing to be held thereon, and in this event it shall give written notice thereof to all persons who may, in the opinion of said Commission, be interested in or affected by the issuance of such permit at least ten days prior to the time fixed for such hearing.

"2739j-70. Distinguishing plates shall be prescribed and furnished by the Commission, through the clerk where the owner has registered his automobile, for, and shall be at all times displayed on, each motor vehicle authorized by the Commission to operate under this act. The transfer of such plate from one vehicle to another is prohibited except upon the authority and consent of the Commission."

By Mr. Shehan:

H. B. 449. An Act to amend and re-enact Section 2739j-76, Carroll's Kentucky Statutes, 1933 Supplement, which is paragraph 8 of Article 4 of Chapter 104, of the Acts of 1932 of the Kentucky Legislature.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2739j-76, of Carroll's Kentucky Statutes, 1933 Supplement, be amended and re-enacted, by adding thereto after the word "hire" and before the word "provided" in the 16th line of said section, the following words and phrases: "provided, however, that in the case of all 'U-Drive-Its,' Jitneys, Taxi-cabs, all contract carriers and all motor vehicles operated on 'casual trips,' the said indemnity bond or insurance policy shall in no event exceed the penal sum of One Thousand Dollars ($1,000.00), for each motor vehicle operated, for death or injury to any passenger or passengers or other persons, and the sum of Five Hundred Dollars ($500.-00), for each vehicle, on any property injured in connection with the operation of said motor vehicle; and", so that after said section 2739j-76 is so amended and re-enacted it will read as follows:

"2739j-76. No certificate or permit shall be issued until there has been filed with and accepted by the Commission a good and sufficient indemnity bond or insurance policy issued by some surety or insurance company or other insurance carrier, duly authorized to transact business as such with this state, which shall provide by such terms, conditions and provisions and in such penal sums or maximum amounts as said Commission may deem necessary for the reaonable protection of the patrons of the operator of the motor vehicle for hire and of the public in the collection of damages for which the operator may be liable by reason of the operation of any motor vehicle for hire; provided, however, that in the case of all 'U-Drive-Its,' Jitneys, Taxi-cabs, all contract carriers and all motor vehicles operated on 'casual trips,' the said indemnity bond or insurance policy shall in no event exceed the penal sum of One Thousand Dollars ($1,000.00), for each motor vehicle operated, for death or injury to any passenger

or passengers or other persons, and the sum of Five Hundred ($500.00), for each vehicle, on any property injured in connection with the operation of said motor vehicle; and provided, however, that the bond or insurance policy required of a contract carrier or the operator of a motor vehicle for hire engaged solely in interstate commerce shall not be for the protection of the patrons of the motor carriers; and provided further that no certificate or permit shall be issued until there has been filed with the Commission a bond in the penal sum of One Thousand ($1,000.00) Dollars, payable to the State of Kentucky, with some surety company qualified to do business in the State as surety thereon, conditioned that the applicant shall pay any and all fees, taxes or penalties which may be due under the provisions of this Act and for the faithful compliance with all lawful decisions, orders, rules, regulations, demands and requirements of the Commission made, rendered, issued or promulgated under the provisions of this Act. Provided, however, if the Commission, in its discretion, shall deem it necessary, it may require that the amount of bond to be given shall be increased to an amount not to exceed Five Thousand ($5,000.00) Dollars. No bond or insurance policy may be canceled or otherwise terminated at any time prior to its expiration for any reason whatever until there has been filed with said commission by the surety or indemnity company a notice to such effect at least fifteen (15) days prior to the date of such termination or cancellation. This provision shall be deemed to be a part of every such undertaking. and no other provision thereof, and no agreement between the parties thereto, shall operate to avoid the same. If any such bond or insurance policy shall become inoperative, the authority under the certificate or permit shall cease and be suspended until a bond or insurance policy meeting the requirement of this section shall become effective and be filed with said Commission."

By Mr. Shehan:

H. B. 450. An Act to amend and re-enact Sections 2739l-10 and 2739l-11, Carroll's Kentucky Statutes, 1933 Supplement, which are paragraphs 2 and 3 of Chapter 99 of the Acts of the Kentucky Legislature for the year 1932.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2739l-10, Carroll's Kentucky Statutes, 1933 Supplement, be amended and re-enacted by adding thereto after the word "Commission" and before the word "permit" in the 6th line of said Section, the words, "through the clerk of the county in which the owner registered his automobile under Section 2739j-2a, Carroll's Kentucky Statutes, 1930 Edition", and after the word "Commission" and before the words "an application" in line 9 of said Section, the words, "through said clerk", and that Section 2739l-11, Carroll's Kentucky Statutes, 1933 Supplement, be amended and re-enacted by adding thereto at the end of the first literary paragraph thereof and immedaitely after the words "motor vehicle", the following words, "provided, however, that for each U-Drive-It, Jitney, or Taxicab, the said bond shall be in the penal sum of One Thousand Dollars ($1,000.00), for the death of or injury to persons, and in the further sum of Five Hundred Dollars ($500.00), for damage to property, resulting from the operation of any such U-Drive-It, Jitney, or Taxicab." So that after said Sections 2739l-10 and 2739l-11 are so amended and re-enacted they will read as follows:

"2739l-10. No operator shall operate on any public highway without having paid to the Commission the annual registration fees provided by law for each motor vehicle operated by him and without having procured from the Commission, through the clerk of the county in which the owner registered is automobile under Section 2739j-2a, Carroll's Kentucky Statutes, 1930 Edition, a permit for such operation. Before the Commission shall issue a permit the operator shall

file with the Commission, through said clerk, an application, in such form as the Commission may require, which shall set forth, among other matters, the name and residence of the operator, the name of the chief officer if the operator be a corporation, and the names of the members if the operator be a partnership, the number and description of the vehicles to be used by such operator, the place where the operator proposes to operate, and a list of all drivers employed or to be employed. If any changes are made in the drivers or any additional drivers are employed the operator shall, within thirty days after the employment of any new or additional driver or drivers, furnish a list thereof to the Commission. Permit shall be renewed at such times and in such manner and upon such conditions as the Commission may prescribe."

"2739l-11. Before any permit is granted by the Commission, the operator shall file with the Commission a good and sufficient bond with adequate corporate surety, payable to the Commonwealth of Kentucky, which shall bind the obligor to pay any final judgment rendered against him arising out of the death of or injury to any passenger or passengers, for loss or damage to property while in transit, or death of or injury to other persons or damage to their property, or any act or omission connected with the operation of motor vehicles by the operator, which bond shall be in the penal sum of Five Thousand Dollars ($5,000.00) for each motor vehicle operated for death of or injury to persons and in the further sum of One Thousand Dollars ($1,000.00) for each vehicle operated, for damages to property, resulting from the operation of any such motor vehicle. Provided, however, that for each U-Drive-It, Jitney, or Taxicab, the said bond shall be in the penal sum of One Thousand Dollars ($1,000.00), for the death of or injury to persons, and in the further sum of Five Hundred Dollars ($500.00), for damages to property, resulting from the operation of any such U-Drive-It, Jitney or Taxicab.

"Instead of such bond the Commission may accept and file a policy of insurance issued by any insurance company or carrier authorized to do business in this State, or other contract in writing deemed by the Commission to be adequate, by which such insurance company or insurance carrier shall assume the liability prescribed by this section.

"The Commission may exempt, in whole or in part, from the requierments of this section any operator upon application for such exemption and upon showing to the Commission to its satisfaction that by reason of the financial ability of the operator there exists due assurance of the payment of any and all damages for which the operator may be liable as a result of the operation of the vehicles owned by the operator. The exemption herein provided shall be made only by written order of the Commission, which may from time to time require statements of the financial condition of such operator and may upon ten days' notice in writing, for cause, revoke its order granting such exemption, in which event said operator shall immediately comply with the other requirements of this section.

"No insurance company or insurance carrier issuing any policy filed with the Commission and no surety or other obligor on any bond or contract filed with the Commission shall be relieved from liability under said policy, bond or contract until after the expiration of fifteen days notice to the Commission of an intention to cancel said insurance policy, bond or other contract, and the acceptance of such notice and the cancellation of such policy, bond or other contract by the Commission shall not relieve the insurance company or insurance carrier or the surety on such bond or other contract of any liability which shall have accrued prior to the effective date of such cancellation. The Commission shall have the right to require all bonds or insurance policies to expire and be renewed upon a given day.

"If any operator shall violate any provision of this act

the Commission shall give notice to such operator and if after hearing the Commission finds that such operator has violated any of the provisions of this act, it shall cancel the permit issued to such operator, and after cancellation no operator shall have the right to ask for a renewal of its permit for a period of six months. Any operator whose license is canceled by the Commission shall have the right of appeal to the Franklin Circuit Court, where said case and the hearing thereon shall be tried *de novo.*''

By Mr. Clay:

H. B. 451. An Act to repeal Section 2380-7 of Carroll's Kentucky Statutes 1930 Edition and re-enact in lieu thereof the following, which relates to ditches and drains and the appointment of a drainage Commission under the laws of the State of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2380-7 of the Kentucky Statutes, Carroll's 1930 Edition, to be repealed, and that the following new matter be enacted in lieu thereof:

In all Counies of this State where a public ditch, drain, levee or other improvement of similar character shall have been established under the pre-existing laws and/or, may hereafter be established under this act, it shall be the duty of the County Judge to call an election in each separate drainage district, which election shall be held not later than thirty days after the passage of this act, and at the county seat and thereafter on same day in May of each year. At this election the taxpayers of each separate drainage district shall elect a director to represent said Drainage District on the board herein created.

The County Judge shall preside at the election of each of said Drainage Districts, which shall be by *viva voce* vote of each member present at the hour designated by said County Judge on the said day. The Drainage Districts of the County shall be numbered by the said County Judge upon the passage of this act and the various elections shall be held in the courthouse and the election shall take place in the numerical order of the District. If any District is not represented at said election, it shall be the duty of the County Judge to appoint a director representing said District; who must be a taxpayer of said District and these elections shall be held annually in the month of May upon the call of the County Judge. He shall fill all vacancies during any year by appointment. The election called shall be made at least ten days before the election by posting notice at the courthouse door and by publishing same in one issue of some newspaper of general circulation. The various directors from the various districts of the County shall constitute the Board of Drainage Commissioners of the Counties wherein they are elected, with the right to acquire, hold, encumber, sell and convey such real estate and personal property as shall be necessary to the conduct of its affairs as such drainage commission, to sue and be sued, contract and be contracted with, and shall possess such other powers and rights as shall pertain to corporations, or as may be necessary for carrying on its work under the provisions of this act, including the right of Eminent Domain; it shall have and use a corporate seal and shall change same at its pleasure. Not later than fifteen days after the election of these directors, representing the various drainage districts in the county, they shall meet at the county seat, elect a President from one of their number and appoint a secretary, who need not be a director, and if no secretary is appointed, the County Clerk of the County shall act as such and be ex-officio secretary thereof. The President and Directors shall receive no compensation for their services and shall meet at

such time or times as the President may call them to meet, and the President shall call a meeting when the request is made by two or more directors which request shall be in writing. The Board shall elect a treasurer, who shall execute mond as the board directs and they may pay said treasurer such salary as they deem proper. Said commission shall have an office at the County Seat of the county which shall be provided with such furniture, stationery and records as may be necessary.

The board shall keep or cause to be kept complete records of its proceedings which records shall be public records and at all times open to the inspection of the public. The Board of Drainage Commissioners may employ a superintendent of drainage if they deem such necessary, and for such time as they deem necessary, and pay him such salary as they deem proper, provided however, that it does not exceed $5.00 per day.

It shall be the duty of the Board of Drainage Commissioners on or before May 1st, of each year to make a complete report of its acts and doings during the previous year, showing the amount of money received and from what source, and the amounts paid out and for what purposes, which report shall be spread upon its records and open for public inspection. All expenses incurred under this act to be borne by the Board of Drainage Commissioners out of drainage funds and not from any general funds of the county.

This Board provided for herein shall have all the authority and perform all the duties enjoined upon the Board of Commissioners by the act of which this is an amendment, and this act is in lieu of Section 2380-7 of the Kentucky Statutes and to be re-numbered by the same number and title.

Whereas the time is fast approaching when assessments may be made for the maintenance of Drainage projects in Kentucky and this Board is necessary to more justly represent the people, therefore, it is declared that an emergency

exists and this act shall take effect immediately upon its passage and approval by the Governor.

By C. W. Anderson:

H. B. 452. An Act to prohibit the Board of Education or Superintendent of Public Schools of any city within this Commonwealth from adopting any rules, regulations, laws or policy in the restraint of marriage of any public school teacher who has had five (5) years teaching experience within the public schools of this Commonwealth, and declaring and carrying into effect the public policy of this State with respect to marriage.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That whereas the contract of marriage is one of the most important of all human transactions, and being the very basis of the whole fabric of society; the marriage status and the freedom to enter into the contract of marriage is of vital interest to the public, creating the most important relation in life.

§ 2. That the Board of Education or Superintendent of Public Schools of any city within this State shall be prohibited from adopting or making any rules, regulations, laws or policy in the restraint of marriage of any public school teacher who has had five (5) years teaching experience within the public schools of this State.

§ 3. That all rules, regulations, laws or policies in conflict with this Act and the purpose thereof shall be of no effect; and it is hereby declared as the public policy of this State.

By same:

H. B. 453. An Act amending, repealing and re-enacting

Sections 125a-1, 125a-2, 125a-3, and 225a-4, Kentucky Statutes, Carroll's 1930 Edition; being an act to create and fixing the salary of a third Assistant Commonwealth's Attorney in counties of this Commonwealth having a population of two hundred thousand or over.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections 125a-1, 125a-2, 125a-3, and 125a-4, Kentucky Statutes, Carroll's 1930 Edition, be amended, repealed and re-enacted so that said section when so amended, repealed and re-enacted shall read as follows:

125a-1. Assistants to Commonwealth's Attorney in Jefferson County.—That the offices of first assistant Comonwealth's Attorney and second assistant Comonwealth's Attorney and third assistant Commonwealth's Attorney in counties having a population of two hundred thousand or over are hereby created.

125a-2. Appointment, removal, salary.—Said first assistant Commonwealth's Attorney and said second Assistant Commonwealth's Attorney and said third assistant Commonwealth's Attorney shall be appointed by the Commonwealth's Attorney for a term of four years, but they shall be subject to removal at any time by the Commonwealth's Attorney. The salary of the first assistant Commonwealth's Attorney shall be four thousand dollars per annum, and the salary of the second assistant Commonwealth's Attorney shall be four thousand dollars per annum and the salary of the third assistant Commonwealth's Attorney shall be four thousand dollars per annum; payable out of the county levy in equal monthly installments.

125a-3. Qualifications, powers, duties.—Each of the assistant Commonwealth's Attorneys provided for by this act shall be a citizen of Kentucky and shall at the time of appoint-

ment reside in this district in which the Comonwealth's Attorney is elected and shall be a licensed practicing lawer. Said assistant Commonwealth's Attorney shall have the same powers and perform the same duties that Commonwealth's Attorney now have and perform, subject to the directions and control of the Commonwealth's Attorney. They shall aid the Commonwealth's Attorney in all matters pertaining to his office, and in such manner as he may from time to time designate.

125a-4. Absence of the senior officer.—In the absence of the Commonwealth's Attorney, the first assistant Commonwealth's Attorney shall act as Commonwealth's Attorney without additional compensation; and in the absence of both the Commonwealth's Attorney and the first assistant Commonwealth's Attorney, the second assistant Commonwealth's Attorney shall act as Commonwealth's Attorney without additional compensation, and in the absence of the Commonwealth's Attorney, and the first assistant Commonwealth's Attorney and the second assistant Commonwealth's Attorney, the third assistant Commonwealth's Attorney shall act as Commonwealth's Attorney without additional compensation.

By Mr. Fitzpatrick:

H. B. 454. An Act amending and re-enacting Section 4127 of Carroll's 1930 Edition of the Kentucky Statutes relating to compensation of Board of Supervisors and Clerk.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. An act to amend Section 4127 of the 1930 Carroll's Edition of the Kentucky Statutes by adding to said section at the end thereof the following language:

"Provided however that Fiscal Courts in Counties having cities of the second class may make an order allowing the

members of the Board of Supervisors and the Clerk additional compensation to be paid by said County" so that when said section is amended it will read as follows: The members of the board of supervisors and the clerk shall be allowed three dollars ($3.00) per day for each day of actual attendance of the meetings of the board to be paid, one-half out of the county levy and the other out of the state treasury. Provided however that Fiscal Courts in Counties having cities of the Second Class may make an order allowing the members of the Board of Supervisors and the Clerk additional compensation to be paid by said County.

§ 2. Due to the fact that the board of supervisors will convene in the month of February, there is an emergency declared to exist and this act shall take effect immediately upon signing of the same by the Governor.

By Mr. Chandler:

H. B. 455. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Crayne in Crittenden County, Kentucky on Highway No. 91, and extending in a Southwestern direction by way of Clement Cemetery, J. I. Clement farm, Henry Wheeler and Son farm, County Pond, and through nine mining districts (Flourspar Mines), a few as follows: Rider Mines, Hodge Mines, Susie Bealer, Brown Mines, Riley, and many others, and passing by or near fifteen dairy farms in Crittenden County by way of Emmaus Church and Cemetery, Shelby Store and Hodge Cave to Salem, in Livingston County, on U. S. 60, a distance of ten miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Common-

wealth of Kentucky a road beginning at Crayne in Crittenden County, Kentucky, on Highway No. 91, and extending in a Southwestern direction by way of Clement Cemetery, J. I. Clement farm, Henry Wheeler and Son farm, County Pond, and through nine mining districts (Flourspar Mines), a few as follows: Rider Mines, Hodge Mines, Susie Bealer, Brown Mines, Riley, and many others, and passing by or near fifteen dairy farms in Crittenden County by way of Emmaus Church and Cemetery, Shelby Store and Hodge Cave to Salem, in Livingston County, on U. S. 60, a distance of ten miles.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

To Committee on Roads and Highways No. 2.

By Mr. Cook:

H. B. 456. An Act relating to the Primary System of Roads and Highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary road system of the Commonwealth of Kentucky a road beginning at State Highway No. 37, in Trimble County, Kentucky; thence by way of Lee Port and Corn Creek Church; and thence back to the State Highway No. 37, in Trimble County, Kentucky.

The construction, maintenance and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided herein.

To Committee on Roads and Highways No. 2.

By Mr. Clark:

H. B. 457. An Act to add to the primary road system a certain road in Nicholas County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby added to the primary road system of Kentucky a certain road in Nicolas County, Kentucky, and more fully described as follows:

Beginning at a point at or near Blue Lick and extending to Pleasant Valley, a distance of about six miles, and generally known as the Licking Pike.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of Acts of the General Assembly of 1920, as amended to the same effect as if said road had been named in the original Act as one of the projects of the primary system of the State Highway as provided therein.

To Committee on Roads and Highways No. 2.

By Mr. O. C. Jones:

H. B. 458. An Act to place in the state primary road system a road in Owen county intersecting with State Road No. 35, leading from Owenton to Sparta, about two miles north of Owenton at the J. W. Agee farm and running with the old New Liberty and Owenton road as near as practicable in a northwestern direction to intersect Federal road No. 227 near the town of New Liberty, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the old New Liberty and Owenton road, intersecting with State Road No. 35, leading from Owenton, Kentucky to Sparta, Kentucky, about two miles north of Owenton at the J. W. Agee farm and running in a northwestern direction, intersecting with Federal Road No. 227 near the town of New Liberty, Kentucky, following the old New Liberty and Owenton road as nearly as practicable, be placed in the State Primary Road System.

§ 2. That said road when placed in the primary system shall be entitled to all the benefits and rights provided for roads in the State Primary System as now provided by law.

To Committee on Roads and Highways No. 2.

By Mr. O. C. Jones:

H. B. 459. An Act to place in the state primary road system a road in Owen county, intersecting with State Road No. 35, leading from Owenton to Sparta, about three and one-half miles north of Owenton at the R. W. Orr farm and running in an eastward direction past the farm of W. E. King and Pleasant Ridge Baptist Church to Taft Memorial Highway at Sweet Owen, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road in Owen County, Kentucky, intersecting with State Road No. 35, leading from Owenton to Sparta, about three and one-half miles north of Owenton at the R. W. Orr farm and running in an eastward direction by the farm of W. E. King at Pleasant Ridge Baptist Church, and intersecting with Taft Memorial Highway at Sweet Owen, Kentucky, be placed in the State Primary Road System.

§ 2. That said road when placed in the primary system shall be entitled to all the benefits and rights provided for roads in the State Primary System as now provided by law.

To Committee on Roads and Highways No. 2.

By Mr. Howard:

H. B. 460. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road leading from Solway in Hardin County to Constantine in Breckinridge County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road leading from Solway in Hardin County to Constantine in Breckinridge County.

This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. Sloan:

H. B. 461. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road from Ira Davis' store across Bear Creek, up Otter Creek via Stoney Point School House and intersect the State Road No. 61 a short distance north of Kettle Post Office.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road from Ira Davis' store across Bear Creek up Otter Creek via Stoney Point School House and intersect the State Road No. 61 a short distance north of Kettle Post Office.

This road thus established to be entitled to receive all benefits of such laws as are now or may be hereafter in effect relating to the primary system of roads and highways of the Commonwealth of Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. Sloan:

H. B. 462. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road from Charlie Booker's place on Burkesville–Columbia Road to top of Goose Creek Hill via Scott's Ferry, W. L. Bybees place. Finis Williams place and J. G. Cash place.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road from Charlie Booker's place on Burkesville–Columbia road to top of Goose Creek Hill via Scott's Ferry, W. L. Bybees place, Finis Williams place and J. G. Cash place.

This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect

relating to the primary system of roads and highways in the Commonwealth of Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. Records:

H. B. 463. An Act establishing a road from Sanders to Glencoe in Carroll and Gallatin counties as a part of the primary system of state highways and to be known as project No. 1,000.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road from Sanders in Carroll County, Kentucky, via Sparta to Glencoe in Gallatin County, Kentucky, to be known as Project No. 1,000.

§ 2. That said road when placed in the primary system shall be entitled to all the benefits and rights provided for roads in the State Primary System as now provided by law.

To Committee on Roads and Highways No. 2.

By Mr. Rice:

H. B. 464. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the junction of the State Highway between Beatyville to Irvine and the Bellepoint county road; thence running from said point to Bellepoint postoffice; thence running up the Main Contrary Creek to the left hand, or north fork of same, and running to and by what is known as the Catholic School so as to intersect with county

road leading from Heidelberg to the State Highway, near the top of Hatton Hollow hill on said highway.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the junction of the State Highway between Beattyville to Irvine and the Bellepoint county road; thence running from said point to Bellepoint postoffice; thence running up the Main Contrary Creek to the left hand, or north fork of same, and running to and by what is known as the Catholic School so as to intersect with county road leading from Heidelberg to the State Highway, near the top of Hatton Hollow hill on said highway.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

To Committee on Roads and Highways No. 2.

Br. Mr. Hines:

H. B. 465. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky, a road in Edmonson County, known as the Bee Spring and Sunfish road via Lashley Ford.

Said bill is as follows, viz.:

That there is established as a part of the primary system of public roads of the Commonwealth of Kentucky, a road beginning at Sunfish, via Lashley Ford to Bee Spring, a distance of approximately seven miles.

To be entitled to all privileges and benefits governing the primary system of public roads of the Commonwealth of Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. Hines:

H. B. 466. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky, a road in Edmonson County, known as the Sunfish High School road, via Judge Woosley farm to Round Hill–Caneyville Highway.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is established as a part of the primary system of public roads of the Commonwealth of Kentucky, a road beginning at Sunfish High School, via Judge Woosley farm to Round Hill–Caneyville road.

To be entitled to all privileges and benefits governing the primary system of public roads of the Commonwealth of Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. H. T. Baker:

H. B. 467. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Marion County line near Arvin's Cemetery, via Willowtown to Saloma in Taylor County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at the Marion County line near Arvin's Cemetery, via Willowtown to Saloma in Taylor County, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky, shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

To Committee on Roads and Highways No. 2.

By Mr. H. T. Baker:

H. B. 468. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Green County line near Roachville to Hatcher, Taylor County, Kentucky, said road being known as the Jane Crawford Trail.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Green County line near Roachville to Hatcher, Taylor County, Kentucky, said road being known as the Jane Crawford Trail.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

To Committee on Roads and Highways No. 2.

By Mr. H. T. Baker:

H. B. 469. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Spurlington in Taylor County, crossing the Mannsville and Bradfordsville Highway near Tallow Creek Church via Merrimac to the Casey county line.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Spurlington in Taylor County, crossing the Mannsville and Bradfordsville Highway near Tallow Creek Church via Merrimac to the Casey County line.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

To Committee on Roads and Highways No. 2.

By Mr. Williams:

H. B. 470. An Act establishing as part of the primary system of state highways, a road beginning at Minor Wilson's farm in Warren County by way of Long's farm, crossing Three Springs road, thence by Roy Skile's farm, and Wilson's Bros. farm to intersect U. S. 31W.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as part of the primary system of state highways of the Commonwealth of Kentucky a road beginning at Minor Wilson's farm in Warren County, by way of Long's farm, crossing through Spring's road, thence by Roy Skile's farm, and Wilson's Bros. farm to intersect U. S. 31W.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of state highways as provided therein.

To Committee on Roads and Highways No. 2.

By Mr. Gnau:

H. B. 471. An Act to amend and re-enact section 632 Kentucky Statutes, to permit Insurance Companies to own and hold real estate taken in satisfaction of debt, and repealing all laws in conflict.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Section 632, Kentucky Statutes, and being Section 95 of Chapter 171 of the Acts of 1893, is hereby amended and re-enacted so that said section when amended will read as follows:

"An insurance company may purchase, own and hold such real estate as is necessary for the convenient transaction of its legitimate business; and it shall be deemed as necessary for the convenient transaction of its legitimate business to own and hold such real estate as shall have been mort-

gaged to it in good faith by way of security for loans previously contracted for money due, when said real estate shall have been conveyed to it in satisfaction of any said mortgage, or as shall have been conveyed to it in satisfaction of debts previously contracted in the course of its business, or as shall have been purchased at sales upon judgment in its favor."

§ 2. All laws or parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

By Mr. Garrett:

H. Res. 47. A Resolution, authorizing Arch Wilson, Herbert Seale and Luther F. Morgan, to file suit against the Commonwealth of Kentucky and the State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, heretofore the State Highway Department dumped dirt over a fill so as to prevent the water from running off of the property of Herbert Seale, Luther F. Morgan and Arch Wilson and caused same to back up on their said land, and whereby their property is now unfit for cultivation and that they have been damaged by reason thereof by the State Highway Department and its employees: Now, Therefore,

Be it revolved by the General Assembly of the Commonwealth of Kentucky:

That, Herbert Seale, Arch Wilson and Luther F. Morgan be and they are hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either, in the Circuit Court of the county of their residence for such damage as they or either of them may have suffered if any by reason of the dumping of the said dirt over this fill and thereby causing the water to back up over their lands and causing said lands to be unfit for cultivation and

thereby permanently damaging said land and permanently destroying the use of same and its value.

The Speaker announced that he had referred bills which were received from the Senate on yesterday, as follows, viz.:

S. B. 78. To Committee on Kentucky Statutes No. 1.

S. B. 79. To Committee on Kentucky Statutes No. 1.

S. B. 36. To Committee on Public Health No. 1.

S. Res. 10. To Committee on Agriculture No. 1.

Mr. McGlothen of the Contest Committee in the case of J. J. Thomas vs. J. T. Jennings, offered the following resolution, viz.:

H. Res. 48. Resolution providing for the payment of expenses and lawyers fees in case of J. J. Thomas vs. J. T. Jennings.

Said resolution is as follows, viz.:

Whereas, the Contest Committee in the House in the case of J. J. Thomas v. J. T. Jennings has filed its report after a study of the record consisting of approximately sixteen hundred pages of depositions, and after considering briefs and arguments of the counsel, which reports have been adopted and approved by this House; and,

Whereas, the Court of Appeals in the case of Mercer and Shuffett v. Coleman, Auditor, decided in the year 1929 and reported in 227 Kentucky 797; 14 S. W., 2nd., 144, held that it was proper for the House to allow and pay such fees and expenses as contingent expenses of the House; and,

Whereas, the Committee finds that the actual and reasonable expenses in connection with the preparation of the contestant's case exclusive of attorneys fees, is the sum of One

Hundred and Fourteen and Sixty-five-one-hundredths ($114.65) Dollars, and the actual and reasonable expenses in connection with the preparation of the contestee's case exclusive of attorney's fees is the sum of Seventy-Seven Dollars; and,

Whereas, the committee finds that an allowance of Two Hundred ($200.00) Dollars for the attorneys' fees for the attorneys for the contestant and a fee of Two Hundred ($200.00) Dollars for the attorneys for contestee, is a reasonable allowance for the services performed by said attorneys: *Now, Therefore,*

Be it Resolved, That the aforesaid expenses and attorneys' fees be and the same hereby are allowed and approved as contingent expenses of the House, and the Clerk of the House hereby is directed to make proper certification thereof to the Auditor of Public Accounts and the Auditor of Public Accounts hereby is authorized and directed to issue his warrants upon the State Treasurer for said sums and charge the same as contingent expense of the House. The certification of the Clerk shall direct the Auditor of Public Accounts to issue his warrant upon the State Treasurer, payable to Clifford E. Smith and W. C. Hamilton, attorneys for contestant in the amount of Three Hundred Fourteen and Sixty-five-one-hundredths ($314.65) Dollars being the total amount allowed to the contestant for expenses and attorneys' fees, and shall direct the Auditor of Public Accounts to issue his warrants upon the State Treasurer, payable to H. C. Procter, C. C. Crosthwait and J. W. Davis in the amount of Two Hundred and Seventy-seven ($277.00) Dollars, being the total amount allowed to the contestee for expenses and attorneys' fees.

Referred to Committee on Appropriations No. 1.

The committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. Wagner of the Committee on Appropriations No. 2.

H. B. 200. An Act appropriating $1,000 out of the general fund for the purpose of acquiring rights-of-way for an entrance to the Pine Mountain State Park, etc.

By Mr. Schneider of the Committee on Cities of 1st Class:

H. B. 205. An Act to authorize cities of the first class to construct law school buildings for municipal universities where the ground for such buildings has been conveyed to the city free of cost, etc.

H. B. 72. An Act to amend and re-enact Subsection 1 of an Act known as Chapter 64 of the Acts of 1894 entitled "An Act for the appointment of County Patrolmen.

By Mr. Ward of the Committee on Cities of the Second Class:

H. B. 300. An Act to amend and re-enact Section 23 of Chapter 92 of the 1914 Acts of the General Assembly of Kentucky same being Section 3490b-23 of Carroll's Kentucky Statutes, 1930 Edition.

H. B. 299. An Act to repeal and re-enact Sec. 3235d-46 of the Kentucky Statutes as shown by Baldwin's 1933 Supplement to Carroll's Kentucky Statutes, 1930 Edition.

H. B. 254. An Act to amend and re-enact Sec. 3235d-49 of the 1933 Supplements for the 1930 Edition of Carroll's Kentucky Statutes, being Chapter 91, Sec. 34 of the Acts of 1930, pertaining to the abolition of the city manager form of government, etc.

By Mr. Embry of the Committee on Claims:

S. Res. 6. Resolution authorizing R. Young and Joseph Young to sue the Commonwealth.

By Mr. McGary of the Committee on Education No. 1.

S. B. 39. An Act to repeal and re-enact Sec. 1 2, 4, 6, and 7 of Art. IX of the Acts of the General Assembly of 1934, pertaining to the retirement of teachers from the common schools of the State, etc.

S. B. 107. An Act to amend and re-enact Sec. 4527-44 Baldwin's Revision of Carroll's Kentucky Statutes, being chapter 65, page 334 of the Acts of 1934, providing for Powers of Regents in governing teachers' colleges.

By Mr. Dunlap of the Committee on Kentucky Statutes No. 1:

H. B. 184. An Act to regulate the practice of professional engineering; creating a State Board of Registration for Professional Engineers; etc.

By Mr. Petry of the Committee on Oils and Minerals:

H. B. 252. An Act for the conservation of natural gas and prevention of its waste.

With Committee Amendment.

By Mr. Bowen of the Committee on Public Utilities:

H. B. 256. An Act enabling cities of the 2, 3, 4, 5 and 6th classes to acquire, construct, operate and maintain natural or artificial gas plants, etc.

H. B. 39. An Act to amend and re-enact Sec. 1, 2 and 19 of an Act entitled "An Act to authorize cities of the 2, 3, and 4th class to acquire waterworks and to issue bonds therefor, etc.

H. B. 5. An Act to amend and re-enact Sec. 1 of Chapter 145 of the 1934 Acts of the General Assembly of Kentucky, creating a public service commission and providing for the regulation and control of utilities within the Commonwealth of Kentucky, etc.

H. B. 275. An Act amending Sec. 1599b-1 and 1599b-2, Kentucky Statutes, Carroll's 1930 Edition.

Without an expression of opinion.

By Mr. Wall of the Committee on Fish and Game:

H. B. 321. An Act to create a Game and Fish Commission, to define its powers and duties, etc.

By Mr. Grogan of the Committee on Banks and Banking:

S. B. 4. An Act to promote the objects of the National Housing Act, etc.

By Mr. Fitzpatrick of the Committee on Revenue and Taxation No. 2.

H. B. 96. An Act to amend and re-enact Subdivision IIIb, Article XII, Revenue and Taxation, of Chapter 108, Carroll's Kentucky Statutes, Official Edition as revised to 1930.

With a Committee Amendment thereto.

By Mr. Myers of the Committee on Roads and Highways No. 1:

H. B. 68. An Act repealing Chapter 81 of the General Assembly of 1930 and Chapter 101 of the Acts of the General Assembly of 1934, defining passenger automobiles, etc.

With a Committee Amendment thereto by way of Substitute therefor.

With the expression of opinion that said bills ought to pass, with the exception of of those specifically set out above.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

By Mr. McGary of the Committee on Education No. 1:

H. B. 279. An Act to amend and re-enact Section 20 of Article V of Chapter 65 of the 1934 Acts of the General Assembly of Kentucky, relating to elections for membership on Board of Education.

By Mr. Schneider of the Committee on Cities of the First Class:

H. B. 195. An Act to amend and re-enact Section 125b-1, Carroll's Kentucky Statutes, entitled "Detectives to be appointed by Commonwealth's Attorney, etc."

H. B. 176. An Act to amend and re-enact Section 1055, Kentucky Statutes, 1934 Edition, relating to keeping of record books, dockets, order books, etc.

(With a Minority Report thereto.)

With the expression of opinion that said bills ought not to pass.

Mr. Pfeiffer moved that the Minority Report on

H. B. 176. (For title see H. B. 176 above.)

Be substituted for the report of the Majority.

Said Minority Report is as follows, viz.:

With the expression of opinion that said bill ought to pass.

Signed: Albert W. Pfeiffer
William T. Baker.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Gnau and Pfeiffer, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Stanley S. Dickson	J. C. Nickell
W. T. Baker	George W. Dunlap	A. W. Pfeiffer
G. M. Ballard	Chas. P. Farnsley	J. C. Ramey
B. F. Bedford	Eugene Gough	Dr. B. F. Shields
Douglas Bolling	Ira W. Hulette	P. L. Sidebottom
Wallace Brown	O. C. Jones	J. J. Thomas
Dr. R. A. Byers	J. L. McDermott	Joseph L. Wall

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Those who voted in the negative were—

Henry H. Allen	Herbert Cook	Ferd A. Gnau
C. W. Anderson, Jr.	Harry Davis	Ben Grogan
H. T. Baker	Sam Dever	Jas. T. Hamilton
Ollie J. Bowen	Howard G. Early	C. L. Hammons
Jas. C. Carter	Garland Embry	W. L. Hampton, Jr.
Roscoe Claxon	Walter R. Fannin	Thomas W. Hines
George S. Clay	H. Myer Garner	Price Holbrook
J. A. Coleman	G. W. Garrett	Clyde S. Howard
Roy Conway	James Garnett, Jr.	John M. Hunnicut

J. H. Jones	Tyler Munford	Ray O. Shehan
R. T. Kirkman	Rodes K. Myers	Chester D. Silvers
J. F. Ladd	Russell O'Neill	H. C. Steely
Leslie Larrimore	Mel Petry	Henry Stewart
Robert E. Lee	Hobart Rayburn	Dr. H. S. Swope
T. B. McConnell	Harry C. Records	W. R. Tapp
W. F. McGary	L. K. Rice	R. Van Bever, Jr.
Elmer McGlothen	Wade H. Riley	S. J. Wagner
C. S. Matherly	Joe E. Robinson	Henry Ward
Duke Mayfield	John C. Robinson	L. R. Wells
G. S. Milam	W. T. Rollo	W. G. Williams
W. H. Miller	A. W. Ross	Charles Wylie
John B. Mollett	Carl Scheben	
W. E. Mull	Carl Schneider	—67

Mr. Pfeiffer moved that the vote by which the House refused to substitute the Report of the Minority for the Report of the Majority. be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

And said bills were rejected.

The hour of eleven-thirty o'clock A. M. having arrived, that being the hour for the Special Order of the Day, to-wit: Report of the Minority on a bill entitled:

H. B. 124. An Act relating to the advancement of credit in the form of script for labor performed or to be performed.

Which was reported by the Committee on Mines and Mining on January 23;

With the expression of opinion that said bill ought to pass;

With a Minority Report thereto.

(For Minority Report see House Journal of January 23).

Mr. Hammons moved that the Report of the Minority be substituted for the Committee Report.

Mr. Hammons moved that the Rules of this House be suspended and that the time allowed for debate be extended to thirty minutes.

Said last named motion was agreed to.

The motion of Mr. Hammons that the Report of the Minority be substituted for the report of the Committee, was then disagreed to, lacking a majority necessary under the Rules of this House.

The yeas and nays being taken thereon were as follows, viz:

Those who voted in the affirmative were—

Henry H. Allen	H. Myer Garner	W. E. Mull
H. T. Baker	G. W. Garrett	Tyler Munford
G. M. Ballard	James Garnett, Jr.	Hobart Rayburn
B. F. Bedford	Ferd A. Gnau	W. T. Rollo
Reuben J. Boling	Jas. T. Hamilton	Carl Scheben
Ollie J. Bowen	C. L. Hammons	Carl Schneider
Jas. C. Carter	Ira W. Hulette	Ray O. Shehan
V. O. Chandler	John M. Hunnicut	Chester D. Silvers
Floyd Clark	J. H. Jones	Bruce Sloan
J. A. Coleman	Robert E. Lee	H. C. Steely
Herbert Cook	M. T. McCarthy	Dr. H. S. Swope
Harry Davis	J. L. McDermott	R. Van Bever, Jr.
Howard G. Early	Lloyd MacDonald	L. R. Wells
Walter R. Fannin	C. S. Matherly	Charles Wylie
Chas. P. Farnsley	G. S. Milam	
T. P. Fitzpatrick	W. H. Miller	—46

Those who voted in the negative were—

F. T. Allen	Thomas W. Hines	J. C. Ramey
C. W. Anderson, Jr.	Clyde S. Howard	L. K. Rice
Douglas Bolling	Ben W. Johnson	Wade H. Riley
Wallace Brown	O. C. Jones	Joe E. Robinson
Dr. R. A. Byers	J. F. Ladd	John C. Robinson
Roscoe Claxon	T. B. McConnell	A. W. Ross
George S. Clay	W. F. McGary	Dr. B. F. Shields
Roy Conway	Elmer McGlothen	P. L. Sidebottom
Sam Dever	Duke Mayfield	Henry Stewart
Stanley S. Dickson	John B. Mollett	W. R. Tapp
George W. Dunlap	Rodes K. Myers	J. J. Thomas
Garland Embry	J. C. Nickell	S. J. Wagner
Eugene Gough	Russell O'Neill	Joseph L. Wall
Ben Grogan	Mel Petry	Henry Ward
W. L. Hampton, Jr.	A. W. Pfeiffer	W. G. Williams

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Thereupon said bill was read at length the first time and ordered to be placed on the Calendar.

Dr. Shields moved that the session of today be extended indefinitely.

Said motion was agreed to.

Dr. Shields moved that the House do now recess until the hour of two o'clock P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of two o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 14. Resolution authorizing additional employees in the Senate.

With a Committee Amendment thereto.

Said resolution is as follows, viz:

WHEREAS, it is necessary to employ additional aid by the President of the Senate, in order to expedite the business of the Senate, now, Therefore,

Be it Resolved by the Senate, the House of Representatives concurring therein:

§ 1. That the President of the Senate be authorized and directed to employ a secretary to the Senate and two additional stenographers, the total amount to be paid said employees not to exceed the sum of Twenty ($20.00) Dollars per day, and the Clerk of the Senate is directed to issue vouchers to the Auditor of Public Accounts who shall draw his warrant in favor of the Clerk of the Senate on itemized accounts for the said employees. Said amounts shall not include any charge by the Clerk for any work done by him.

It being necessary to have the work herein provided for done at once, and the officers charged with duty not being able to perform the volume of work personally, an emergency is declared, and this resolution becomes in force and effect upon its adoption and approval by the Governor.

Said amendment as offered by the Committee is, as follows, viz.:

Amend S. Res. 14 by striking out each word, phrase and sentence after the resolving clause and inserting in lieu thereof the following words, phrases and sentences "that there is hereby approprated the sum of thirty dollars per day

during the regular session of the 1936 General Assembly beginning with the first day thereof and continuing until the Sine Die Adjournment thereof for the purposes of paying the Secretary to the Senate and stenographic help that have been or may be authorized by the President of the Senate, and the Clerk of the Senate is hereby directed to issue vouchers to the Auditor of Public Accounts who shall draw his warrant in favor of the Clerk of the Senate of itemized accounts for said employees. Said amount shall not include any charge by the Clerk. Any unexpended funds hereby appropriated shall revert to the general fund.

Since persons have been employed for stenographic help and as Secretary to the Senate and have not been paid for their services performed and there being no fund appropriated for paying them in the future an emergency is declared to exist and this rsolution shall be effective upon its adoption by the General Assembly and approval by the Governor."

Amend the Whereas, Clause by charging the word "is" to the word "was".

Said amendment was adopted.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title only and passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	W. T. Baker	Reuben J. Boling
C. W. Anderson, Jr.	G. M. Ballard	Douglas Bolling
H. T. Baker	B. F. Bedford	Ollie J. Bowen

Wallace Brown	Clyde S. Howard	Hobart Rayburn
Dr. R. A. Byers	Ira W. Hulette	Harry C. Records
Jas. C. Carter	Ben W. Johnson	L. K. Rice
V. O. Chandler	J. H. Jones	Wade H. Riley
Floyd Clark	O. C. Jones	Joe E. Robinson
Roscoe Claxton	R. T. Kirkman	John C. Robinson
George S. Clay	J. F. Ladd	W. T. Rollo
J. A. Coleman	Leslie Larrimore	A. W. Ross
Roy Conway	Robert E. Lee	Carl Scheben
Herbert Cook	M. T. McCarthy	Carl Schneider
Harry Davis	T. B. McConnell	Ray O. Shehan
Sam Dever	J. L. McDermott	Dr. B. F. Shields
Howard G. Early	Lloyd MacDonald	P. L. Sidebottom
Garland Embry	W. F. McGary	Chester D. Silvers
Walter R. Fannin	Elmer McGlothen	Bruce Sloan
Chas. P. Farnsley	John Marshall	H. C. Steely
T. P. Fitzpatrick	C. S. Matherly	Henry Stewart
H. Myer Garner	Duke Mayfield	Dr. H. S. Swope
G. W. Garrett	W. H. Miller	W. R. Tapp
Ferd A. Gnau	John B. Mollett	J. J. Thomas
Eugene Gough	W. E. Mull	R. Van Bever, Jr.
Ben Grogan	Rodes K. Myers	S. J. Wagner
Jas. T. Hamilton	J. C. Nickell	Joseph L. Wall
C. L. Hammons	Russell O'Neill	Henry Ward
W. L. Hampton, Jr.	Mel Petry	L. R. Wells
Thomas W. Hines	A. W. Pfeiffer	W. G. Williams
Price Holbrook	J. C. Ramey	Charles Wylie

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Resolved that the title thereof be as amended.

Mr. Myers moved that the vote by which said resolution was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Joe Robinson moved that the Rules of this House be suspended and that the Committee on Kentucky Statutes No. 1, be allowed to report.

Said motion was agreed to.

Thereupon, Mr. Joe Robinson of the Committee aforesaid, to which the same had been recommitted reported a bill entitled:

H. B. 71. An Act relating to Suffrage and Elections.

With a Committee amendment thereto by way of Substitute therefor.

With the expression of opinion that said bill ought to pass.

Ordered that said bill take its place in the Orders of the Day.

By unanimous consent the following bills were introduced ordered printed and referred as follows:

By Mr. Garner.

H. B. 472. An Act to provide for the licensing of Coin Operated Playing Machines, commonly known as Slot Machines, providing a license fee of $100.00 for each machine; fixing and prescribing certain duties of county clerks and the State Treasurer.

Said bill is as follows, viz.:

§ 1. Any one, before operating a coin operated playing machine, commonly known as a Slot Machine, shall secure a license from the county clerk of the particular county in which said machine is to be operated, for which he shall pay a fee of $100.00 per annum or a fraction thereof.

§ 2. Said county clerk shall remit $99.50 of each $100.00 fee so received by him, to the State Treasurer, making such remittances quarterly, and said State Treasurer shall in turn

remit all amounts so received to the State Old Age Pension Fund, to be used in accordance with methods prescribed by law.

§ 3. Any one operating, attempting to operate, or anyone playing such machine, when not licensed in accordance herewith, shall be guilty of a gross misdemeanor, and upon conviction thereof, shall be fined not less than $2.00 or more than $1,000.00 for each offense, or imprisonment for not less than one year or more than five, or both such fine and imprisonment.

§ 4. All laws or parts of laws inconsistent with this Act or any part of this Act are hereby repealed.

By Mr. Fitzpatrick.

H. B. 473. An Act to amend Chapter 112 of the Acts of the General Assembly of one thousand nine hundred and twenty-eight (1928), relating to the pay of officers of election.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 112 of the Acts of the General Assembly of 1928 be and the same is hereby amended and reenacted so that when same is so amended and re-enacted it shall read as follows:

Section 1. Pay of Officers.—Officers of election shall receive pay as follows: Judges, $3.00 each; sheriffs, $3.00 each; clerks, $3.00 each; excepting that in counties having cities of the first and second classes the fiscal court may provide for the pay of election officers in said counties not to exceed the following sums: Judges, $5.00 each; sheriffs, $5.00 each; and clerks, $5.00 each. In all elections to fill vacancies, the same fees. For delivering election returns the sheriff and judge, whose duty it is to accompany him, shall also receive eight cents for each mile necessarily traveled from the place of

voting to and from the place of delivery. The fiscal court shall, at its regular October term, provide for the payment of all election officers of the ensuing November election, which payment shall be made out of the levy of the year in which the services are rendered, or out of any money in the hands of the treasurer or sheriff not otherwise appropriated.

§ 2. All acts or parts of acts in conflict herewith are hereby repealed.

By Mr. Shields.

H. B. 474. An Act to amend and re-enact Chapter 151 of the 1932 Acts of the General Assembly of the Commonwealth of Kentucky (Section 4238, Carroll's Kentucky Statutes, 1933 Supplement), relating to revenue and taxation, so as to abrogate the state tax on the recording of certain instruments.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 151 of the 1932 Acts of the General Assembly of the Commonwealth of Kentucky, be and the same is hereby amended and re-enacted by adding and inserting the words "but no tax shall be paid on any sale, conveyance, contract, or chattel motrgage unless the amount exceed three hundred dollars ($300.00)", after the word and figure "dollar ($1.00)", on line 10 of page 710, and before the word "and" on line 10 of said acts, so that said section as amended and re-enacted shall read as follows:

On each original action or proceeding in the circuit court, commencing with or without original process, and on each original ation or proceeding in other courts, when the amount in controversy, exclusive of interest and cost, exceeds fifty dollars ($50.00); on each appeal to the circuit or quarterly court; on each traverse or forcible entry or detainer; on each

proceeding to revive a judgment, fifty cents (fifty cents), on each deed or power of attorney to convey real or personal estate, or any mortgage or conveyance of real or personal property, or lien or conveyance of coal, oil, gas or other mineral right or privilege, one dollar ($1.00), [but no tax shall be paid on any sale, conveyance, contract, or chattel mortgage of personal property unless the amount exceed three hundred dollars ($300.00)]; and on each marriage license, three dollars and fifty cents ($3.50), and on the seal of any court, required by law to keep a seal, fifty cents (50c), except for license authorized by the state; on each appeal to the Court of Appeals, two dollars ($2.00); on each verdict of a petit jury in civil cases in the circuit court, four dollars ($4.00). The tax shall be paid when the parties withdraw a jury or the plaintiff sustains a non-suit after the jury is sworn. On filing and registering a plat and certificate of survey, and issuing and recording patent thereon, one charge, which shall be paid before the survey heretofore filed in register's office, two dollars and fifty cents ($2.50) for each survey consisting of ten acres or less, and five dollars ($5.00) for each survey in excess of ten acres; for filing a caveat, twenty-five cents (25c); for filing a copy of judgment of a court in a case of a caveat, mandamus or other proceedings affecting the land office, or the duties of the register, twenty-five cents (25c); for issuing a land warrant, one dollar ($1.00); for a copy of a plat, fifty cents (50c); for a copy of a course and distances of any patent or survey, fifty cents (50c); for a copy of an entry or land warrant, fifty cents (50c); for a copy of an assignment, twenty-five cents (25c); for a copy of a caveat, two cents (2c) for every twenty words; for a copy of any writing not specifically provided for, two cents (2c) for every twenty words.

By Mr. Fitzpatrick:

H. B. 475. An Act to amend Section 1486b-8 of the Kentucky Statutes, relating to the compensation of officers of registration, Carroll's Kentucky Statutes 1930 edition.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1486b-8 of the Kentucky Statutes be and the same is hereby repealed, amended and re-enacted so that when said section is re-enacted it shall read as follows:

§ 1. Each officer of registration shall receive as his compensation the sum of $2.00 per day for each day he is required to register voters, to be paid out of the county treasury, excepting in counties having cities of the first or second class, the Fiscal Court of said county may provide that the officers of said registration shall receive as compensation a sum not exceeding $10.00 per day for each day they are required to register voters, to be paid out of the county treasury.

§ 2. All Acts or parts of Acts in conflict herewith are hereby repealed.

By Mr. Fitzpatrick:

H. B. 476. An Act to amend Section 4127 of Carroll's Kentucky Statutes, 1930 edition, being an Act relating to the compensation of County Boards of supervisors and clerks thereof.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4127 of the Kentucky Statutes, be and the same is hereby repealed, amended and re-enacted so that when said section is so amended and re-enacted, the same shall read as follows:

Section 1. The members of the Board of Supervisors and the clerk shall be allowed $3.00 per day for each day of actual attendance of the meetings of the board, to be paid one-half out of the county levy and the other half out of the

State Treasury, excepting that in counties having cities of the first and second class the Fiscal Courts of said counties may provide that the pay from the county levy for said members of the Board of Supervisors and the clerks thereof, may be paid in any sum by the county not to exceed $5.00 per day for each member and clerk for and on behalf of the county in the discretion of the said Fiscal Court, and the State shall pay $1.50 per day for each member and clerk out of the State Treasury.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

By Mr. Carter:

H. B. 477. An Act designating the manner in which money appropriated or set apart to the Bureau of Dental Health must be expended, and directing the teaching of dental health in the public schools.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That any money hereafter appropriated or set apart to the Bureau of Dental Health shall be used exclusively for instructing teachers of Public Schools in Dental Health. Said instructions shall be under the direct supervision of the Bureau of Dental Health of Kentucky, and all teachers of Public Schools shall teach at least one weekly period of Dental Health under the instructions and supervision of said Bureau of Dental Health of Kentucky.

By Mr. Scheben:

H. B. 478. An Act entitled an act requiring persons, partnerships and/or corporations to obtain insurance on a motor vehicle before operating it over and upon the highways

of the Commonwealth of Kentucky, providing that the Commonwealth of Kentucky shall carry said insurance and fixing the amount of premium therefore and delegating the Insurance Department to have control of the fees collected therefrom and providing for the disposal of any and all profits accruing to the Commonwealth from the collections of said fees and exempting motor vehicles which are now required under the laws of the Commonwealth of Kentucky to carry insurance and busses and trucks operated in intrastate or interstate commerce as part of a trucking line.

WHEREAS many persons, partnership and/or corporations are at the present time operating motor vehicles over and upon the highways of the Commonwealth of Kentucky and many of said operators are without financial responsibility, and

Whereas numerous persons have been injured through the operation of said vehicles, and

WHEREAS the injured parties have been unable to recover any claim for damages for personal injuries or injury to their property, and

WHEREAS a person wrongfully injured is entitled to be compensated; Now, Therefore,

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That every person, partnership and/or corporation operating a passenger car, said motor vehicle having been licensed in the Commonwealth of Kentucky and said vehicle being used solely for the benefit of said person, partnership and/or corporation and not operating for hire, shall at the time of obtaining a license for said vehicle pay into the office of the clerk issuing said license for said vehicle the sum of eighteen ($18.00) dollars for insurance on said vehicle.

§ 2. Every person, partnership and/or corporation operating a motor or electric truck over and upon the highways

of the Commonwealth of Kentucky solely for the benefit of the said person, partnership and/or corporation and said vehicle not being for hire and having the capacity of one (1) ton or less shall at the time of the issuance of a license for said vehicle by the county clerk pay into said clerk's office the sum of twenty-two ($22.00) dollars for insurance upon said vehicle, and for every additional ten capacity or fraction thereof pay an additional sum of twenty-five ($25.00) dollars per ton capacity or fraction thereof.

§ 3. The Commonwealth of Kentucky through the county clerk of each county shall issue a certificate to each person, partnership and/or corporation showing that said vehicle has been insured with the Commonwealth of Kentucky for the sum of five-thousand ($5,000.00) dollars for damages caused by the operation of it over and upon the public highways of the Commonwealth of Kentucky to the person or property of another. Said certificate to be made in triplicate, the original to be given to the person, partnership and/or corporation paying therefore, one copy to be retained by the county clerk and one copy to be transmitted to the Commissioner of Insurance at Frankfort, Kentucky. Said county clerk shall receive as compensation for the issuance of said certificate the sum of fifty (50c) cents to be charged and collected by him from the person, partnership and/or corporation obtaining the certificate.

§ 4. The county clerk shall at the end of each day transmit and send to the Insurance Commissioner a copy of all of the certificates issued by him during said day and all moneys collected for insurance on motor vehicles to the Insurance Commissioner at Frankfort, Kentucky.

§ 5. It shall be the duty of the Insurance Commissioner to segregate said moneys paid over to him by the county clerks for the said certificates and to hold it solely for the payment of any and all claims that may arise by reason of injuries done to persons or property by a vehicle operated under a certificate issued under the authority of this act by

any of the county clerks, provided however, that in no event shall any sum in excess of five thousand ($5,000.00) dollars be paid for injuries inflicted by a motor vehicle insured with the Commonwealth of Kentucky resulting from one accident.

§ 6. It shall further be the duty of the Insurance Commissioner to investigate any and all claims for damages or compensation made by any person for injuries received through the operation of a motor vehicle insured by the Commonwealth of Kentucky and he shall have the right and power to compromise any and all claims or to refuse to pay any and all claims and in the event of refusal shall have the right to employ attorneys to defend the Commonwealth of Kentucky and the person, partnership and/or corporation insured and said Insurance Commissioner is hereby authorized to pay a reasonable fee to attorneys so employed in the defense of said claims and in no event, however, is said compensation to exceed the sum of two hundred ($200.00) dollars.

§ 7. The Insurance Commissioner is hereby empowered and authorized to employ five (5) people as investigators to investigate any and all claims and shall pay them a salary not in excess of the sum of two thousand ($2,000.00) dollars per year nor shall any two (2) investigators live within the same congressional district.

§ 8. The holder of any certificates under the provisions of this act shall within ten (10) days after the happening of any accident make a written report thereof to the Insurance Commissioner at Frankfort, Kentucky.

§ 9. This act shall not apply to any vehicle operated for hire or as a bus or part of an intrastate or interstate trucking line or any vehicle that is now required to carry insurance under the laws of the Commonwealth of Kentucky.

§ 10. A license shall not be issued by any county clerk for the operation of a motor vehicle over and upon the highways of the Commonwealth of Kentucky who refuses or is unable to comply with the requirements of this act as to the payment for insurance.

§ 11. The payment of the proper fee as heretofore set out shall entitle the certificate holder to insurance in the sum of five thousand ($5,000.00) dollars for the period of time for which his license tag is issued and the same fees for insurance shall be paid for said insurance at each time a new license tag is issued for the operation of said vehicle.

§ 12. It shall be the duty of the Insurance Commissioner to make a report annually to the Governor of Kentucky, said report to be made during the month of January of each year and showing the amounts paid into the Commonwealth for insurance, the expense entailed by the Commonwealth in the handling of said insurance and the amount paid out by the Commonwealth in the settlement of claims, judgments or awards and the balance remaining on hand.

§ 13. Any balance remaining on hand in excess of one hundred and fifty thousand ($150,000.00) dollars shall be paid over to the Treasurer of the Commonwealth of Kentucky and by him placed in the general funds of the Commonwealth.

§ 14. The provisions of this act are hereby declared severable and in the event that any portion hereof shall be declared unconstitutional the remainder shall remain in full force and effect.

§ 15. All acts or parts of acts in conflict herewith are hereby repealed except as to provisions requiring insurance to be carried and maintained upon motor vehicles.

By Mr. Myers:

H. B. 479. An Act providing that teachers, instructors, professors and administrative officers in any school, college, university or other education institution, within the Commonwealth of Kentucky that is supported in whole or in part by funds derived from state, county, city or district taxation, shall take and subscribe to the oath prescribed for and administered to public officers, pursuant to the provisions of the Constitution of the Commonwealth of Kentucky, and providing penalty for violation of this act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Every teacher, instructor, professor and administrative officer in any school, college, university or other educational institution, within the Commonwealth of Kentucky that is supported in whole or in part by funds derived from state, county, city or district taxation, shall upon receiving a certificate to teach and before delivery of the same, or at the time of signing a contract of employment as a teacher, instructor, professor or administrative officer in such schools, colleges, universities, or educational institutions for a period of service therein, take and subscribe to the oath prescribed for and administered to public officers, pursuant to the provisions of the Constitution of the Commonwealth of Kentucky, before any officer authorized by law to adminster oaths, and shall file a copy of the same in the office of the State Superintendent of Public Instruction.

§ 2. It shall be unlawful for any officer, board or person having the employment, dismissal or suspension of teachers, instructors, professors or administrative officers in any school, college, university, or educational institution referred to herein to permit a person to serve as a teacher, instructor, professor or administrative officer therein without having first complied with the provisions of this act. Any teacher, instructor, professor or administrative officer referred to herein who shall willfully disobey or neglect to obey the provisions of this act shall be deemed guilty of a misdemeanor, and subject to a fine of not less than $10.00, and not more than $100.00.

By Mr. Ward:

H. B. 480. An Act repealing, amending and re-enacting

Section 4356t-8, Kentucky Statutes, and being Section 8 of Chapter 17 of the Acts of 1920 as amended, repealed and re-enacted in Chapter 178 of the Acts of 1928.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4356t-8, Kentucky Statutes, being Section 8 of Chapter 17 of the Acts of 1920 as amended, repealed and re-enacted in Chapter 178 of the Acts of 1928 be, and the same is hereby repealed, amended and re-enacted so that said Section as so repealed, amended and re-enacted shall read as follows, to-wit:

"When any primary road heretofore or hereafter designated passes through an incorporated city or town of this Commonwealth, the cost of construction, maintenance and upkeep thereof shall be paid by the State Highway Commission as is the cost of such road or roads constructed outside of such city or town, and the State Highway Commission, or other body or authority exercising the functions of said Highway Commission as now constituted, shall cause the streets, for the full width of the traveled portion thereof by vehicular traffic, including the curbs, gutters, sewer intakes, catch basins and other necessary and essential incidentals to the sanitation and drainage thereof, to be constructed and maintained according to the established grades for construction and drainage in such streets or thoroughfares in such cities or towns; and where no grades have been established by such cities or towns, the State Highway Commission is hereby authorized to establish such grades for the purpose of so constructing and maintaining such streets and thoroughfares. And such construction, maintenance and upkeep shall be done by and under the direction of the State Highway Commission. All such streets and thoroughfares shall be constructed of approved material for hardsurfacing streets of cities and

towns of the class through which said road or highway passes."

§ 2. All laws and parts of laws in conflict herewith are, to the extent of such conflict, hereby repealed.

By Mr. Sloan:

H. B. 481. An Act proposing an amendment to the Constitution of the Commonwealth of Kentucky, by amending Section 172, which requires all property to be assessed for taxation, and by re-enacting said section, authorizing the exemption of tax on real estate of each individual up to and including twenty-five hundred dollars in value.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon the concurrence and agreement of three-fifths of all members elected to each house of the General Assembly of the Commonwealth of Kentucky, the yeas and nays being taken thereon and entered in full on their respective journals, that the Constitution of the Commonwealth of Kentucky be amended and re-enacted, and when re-enacted shall read as follows:

"All property not exempted from taxation by this Constitution, except real estate in the value of Twenty-Five Hundred Dollars ($2,500.00) to each individual, shall be assessed for taxation at its fair cash value, estimated at the price it would bring at a fair voluntary sale and any officer or other person authorized to assess values for taxation, who shall commit any willful error in the performance of his duty, shall be deemed guilty of malfeasance, and upon conviction thereof, shall forfeit his office and be otherwise punished, as may be provided by law."

The General Assembly shall, by general law, provide a

means whereby the sense of the people of the Commonwealth of Kentucky may be taken, as to whether or not they favor such amendment.

That this amendment to the Constitution of the Commonwealth of Kentucky be and hereby is proposed to the voters of the State for their ratification or rejection.

§ 2. This proposed amendment shall be submitted to the voters of the State for their ratification or rejection at the time and in the manner provided for under the Constitution of Kentucky, and under the laws of the Commonwealth of Kentucky in force at the time of submission.

By Mr. Carter:

H. B. 482. An Act to amend and re-enact Section 3638a of Carroll's Kentucky Statutes, 1930 Edition, relating to the publication of ordinances and advertisements of cities of the fifth class.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3638a of Carroll's Kentucky Statutes, 1930 Edition, be, and the same hereby is, amended and re-enacted so that the same when amended and re-enacted shall read as follows:

All ordinances and advertisements of cities of the fifth class which are now or hereafter required by law to be published in a newspaper shall be published in some newspaper published in any such city, and if there is more than one newspaper published in any such city the same shall be published in the one having the largest circulation which is published in said city. Te rate to be charged and collected therefor by the newspaper publishing the same shall not exceed fifty cents (50c) per linear inch, single column, solid eight-point measure, for each insertion.

By Mr. Matherly:

H. B. 483. An Act defining the practice of law.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That any one appearing in a court of justice for anyone other than himself and performing services there in the conduct of litigation in any of its stages or anyone writing wills, deeds, mortgages, or contracts, not to be signed by himself, whether he shall charge or receive pay therefor or not is now and hereby declared to be engaged in the practice of law.

By Mr. Wagner:

H. B. 484. An Act repealing, amending and re-enacting Section 4234, Carroll's Kentucky Statutes, 1930 Edition, relating to Foreign Insurance Companies doing business in this State and providing for the filing of statements as to premium received on policies and the loss on said policies and providing for the payment of the tax on said premiums and for penalties upon failure to pay said tax, and providing that from said tax there shall be deducted taxes paid the cities and towns for the same privilege and repealing all laws in conflict herewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4325, Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby repealed, amended and re-enacted so when repealed, amended and re-enacted same shall read as follows:

"Every Insurance company, other than life insurance companies and assessment casualty companies, not organized

under the laws of this state, but writing policies on contracts of insurance on property located in this State, or doing business therein, shall, on the first day of December, or within thirty days thereafter, return to the auditor of public accounts, for deposit in the insurance department, a statement made under oath of all premiums received for the twelve months preceding on policies or contracts of insurance written by the local resident agents and shall give the amount of premiums received by each local agency and the losses paid thereon, and shall at the same time pay into the state treasury a tax of Three Dollars ($3.00) upon each one hundred ($100.00) of premiums received and shall also make a statement in detail under oath of all premiums received for the twelve months preceding on policies or contracts of insurance covering property located in the state, written either at the home offices, branch offices, by brokers or by non-resident agents or by re-insurance of companies not authorized to do business in Kentucky and also make statement in detail of the losses paid under such policies, and shall at the same time pay into the state treasury a tax of three dollars ($3.00) upon each one hundred dollars ($100.00) of premiums so received; if not paid within thirty days a penalty of Five Dollars ($5.00) additional of each one hundred dollars ($100.00) of the gross premium shall attach. Said statements of insurance written by other than authorized local agents duly licensed by the state of Kentucky, shall show each policy written, its number of the assured, date, expiration, amount, rate and premium and the kind and location of the property insured.

There shall be deducted from the tax thus computed the amount paid by such corporation, company or association, to cities and villages as a tax on premiums received by such corporation, company or association in such cities and villages during the preceding calendar year for the benefit of organized fire departments, and the remainder shall be assessed against such corporation, company or association as its annual privilege tax.

This Act shall apply to all corporations, companies and associations organized under the laws of any other state, territory or foreign country and admitted to transact the business of insurance in this state on the stock, mutual, stock and mutual, or assessment plan. This Act, however, shall not apply to fraternal beneficiary associations or societies.

All laws in conflict herewith are hereby repealed.

By Mr. Hampton:

H. B. 485. An Act relating to owners or operators of motor vehicles from liability in certain cases for injuries to guests, non-paying passenger therein.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

No person transported by the owner or operator of a motor vehicle as his guest without payment for such transportation shall have a cause of action for damages against such owner or operator for injury or loss in case of accident unless such accident shall have been intentional on the part of such owner or operator, or caused by his gross negligence or intoxication or his reckless disregard of the rights of others; provided that this provision shall not be considered to remove defense of contributory negligence, and provided further that nothing in this provision shall effect any right to damages for an injury resulting in death.

By C. W. Anderson:

H. B. 486. An Act to regulate and provide for the assignment by the court, of an attorney or attorneys for defendants in criminal actions under indictment in this state, when brought into court and are without and unable to employ

counsel; and to further regulate and provide for the compensation of such counsel so appointed or assigned.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That after an indictment has been returned by the grand jury, and at the time when accused shall be brought into court upon arraignment, if he is without and unable to employ counsel, the court shall assign him counsel, not exceeding two, who shall have access to such accused at all reasonable hours. Such counsel shall not be a partner in the practice of law of the attorney having charge of the prosecution; and a partner of such attorney shall not be employed by or conduct the defense of a person so prosecuted.

Counsel so assigned shall be paid for their services by the county in which the indictment is returned, and shall receive therefor, such compensation as the judge of the court in which he is appointed shall approve, not exceeding $250.00 in any case.

The minimum fee allowed an attorney so assigned in any case shall not be less than $10.00. The county commissioners or fiscal court shall provide for the payment of such attorney fees out of the county treasury and shall authorize the county treasurer to make payment of the amount as certified to him by the judge of the court making the assignment.

By Mr. Wylie:

H. B. 487. An Act repealing Sections 2319a-2, 2619, 2620, 2621, 2622, 2623, 2625, 2627, 2628, 2630, 2631, 2632, and 2635a of the Kentucky Statutes, and other inconsistent laws; re-establishing Kentucky Board of Pharmacy; providing its duties and authority; prescribing qualifications of pharmacists; limiting manufacture, compounding, sale and labeling

of drugs; regulating the sale of habit-forming and poisonous drugs; providing fees; providing penalties for violation of this Act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. *Definitions of Terms.—"Board"* as used herein shall mean the Kentucky Board of Pharmacy.

"Owner" as used herein shall mean any person, firm, association, hospital, partnership, or corporation, who own a store, place and/or conveyance where, or from which, medicines are dispensed, given away, or sold, at retail.

"Retail" as used herein shall mean a sale, gift, and/or supplying, in quantities sufficient for use, application, and/or consumption such as are adaptable to the wants and/or needs of the individual, and not for resale.

"Pharmacy" as used herein shall mean pharmacies, drug store, apothecary, or apothecary shop, store, business, conveyance, and/or where medicines are sold and/or dispensed at retail.

"Pharmacist" as used herein shall include registered pharmacists, druggists, and apothecaries.

"Container" as used herein shall mean any box, bottle, vial, carton, sack, paper, and/or wrapper, which is the immediate holder or holders, container or containers, or retainer or retainers, of the medicine and/or instrument.

"Label" as used herein shall mean reading matter, whether printed, written or otherwise, a part of, or attached to, a container which denotes contents, nature, use, name, or other instructions.

"Wholesale Pharmacist" as used herein shall include Wholesale Druggists or Wholesale Apothecary.

"Manufacturer" as used herein shall mean those manufacturers engaged in the manufacture of medicines.

"Medicine" as used herein means and/or consists of, any drug, chemical, poison, compound, pharmaceutical preparation, or any combination or preparation thereof, or the prescription of a doctor, dentist, veterinary surgeon, or other practitioner lawfully entitled to prescribe, which are used and/or can be used, either internally and/or externally, to alleviate or mitigate pain or suffering.

"Poison" as used herein shall mean any drug, chemical or pharmaceutical preparation, or combination thereof, which according to the standard works of medicine or materia medica, when taken internally is apt to produce death to an adult human being in 60-grain doses or less, and this shall be known as a 60-grain poison or poisonous medicine.

"Five Grain Poison" as used herein shall mean any drug, chemical, or pharmaceutical preparation, or combination thereof, which according to the standard works of medicine or materia medica, when taken internally is apt to produce death to an adult human being in 5 grain doses or less, and this shall be known as a five grain poison or poisonous medicine.

"Prescription" as used herein means an order for medicine written or printed and signed by a duly licensed physician, dentist, veterinarian or other licensed medical practitioner.

§ 2. *Kentucky Board of Pharmacy; Appointment; Term; Qualifications.*—The members of the present Board shall serve until the expiration of the time for which they have been appointed, and they, with their successors, shall constitute the Board. At the regular annual meeting of the Kentucky Pharmaceutical Association, it shall select and submit to the Governor the names of five (5) persons, who have had five (5) years practical experience in a retail pharmacy in the Commonwealth of Kentucky, and the Governor shall, before the first day of October of each year, appoint from the names last submitted one member, as the term of each of

those now holding office expires, who shall hold his office for five (5) years and until his successor is appointed and qualified, unless removed for cause. Any vacancy that occurs in the Board shall be filled for the unexpired term by the Governor from the names last submitted. Each member upon receiving his appointment shall within ten (10) days thereafter take and subscribe to an oath or affirmation, before a competent officer, to faithfully and impartially perform the duties of his office, which oath or affirmation shall be inscribed upon his commission. Not more than two (2) members of the Board shall be residents of the same county.

§ 3. *Meetings of Board; Officers; Duties of Board; Annual Report; Book of Registration; Meetings to Examine Applicants; Records as Evidence; By-Laws; Quorum.*—The Board shall meet in the month of January of each year, and organize by the election of a President, Secretary, and Treasurer, who shall be elected for a term of one (1) year, and shall perform the duties prescribed by the Board. The President, and Treasurer, shall be elected from the members of the Board, but the Secretary need not be a member of the Board, but must be a Registered Pharmacist in the Commonwealth of Kentucky. It shall be the duty of the Board to examine all applicants for registration, to grant certificates of registration, to such persons as may be entitled to the same under the provisions of this act; to report annually to the Governor, and to the Kentucky Pharmaceutical Association, upon conditions of pharmacy in the Commonwealth of Kentucky, which report shall also contain a record of all the proceedings of said Board for the year, and also the names of all persons duly registered as pharmacists under this act, and shall include an account of all moneys received and expended by the Board. The Board shall keep a Book of Registration in which shall be entered the name, residence, and place of business, of all pharmacists under this act. The Board shall hold meetings for the examination of applicants for registration, and the transaction of such other business as shall pertain to

its duties at least semi-annually, on the second Tuesday of January and July of each year, in such cities as the Board may select, and shall continue in session from day to day until its business is disposed of. The minutes of each meeting of the Board shall be recorded by the Secretary, and a copy of same sent to the editor of the official journal of the Kentucky Pharmaceutical Association within thirty (30) days after said meeting. The records of the Board or a copy of any part thereof, certified by the Secretary to be a true copy, attested by the seal of the Board, shall be accepted as competent evidence in all courts of this Commonwealth. The Board shall have power to make by-laws for the proper execution of its duties under this act. Three members of the Board shall constitute a quorum.

§ 4. *Secretary; Office Assistant; Salaries; Treasurer and Bond; Pay of Members.*—The Secretary of the Board shall receive such salary as the Board may determine, which shall not exceed *Eighteen Hundred* ($1,800.00) *Dollars* per year. He shall also receive his traveling and all necessary expense incurred in the performance of his official duties. The Secretary, in his discretion, subject to the approval of the Board, may appoint an Office Assistant for a period of one year, or until his successor is appointed and qualified, unless such Office Assistant is sooner removed by the Board for neglect of duty, misbehavior, or incompetency. The Office Assistant shall receive a salary to be fixed by the Board, not to exceed *One Hundred* ($100.00) *Dollars* per month. The other members of the Board shall receive the sum of *Ten* ($10.00) *Dollars* for each day actually engaged in the service thereof, and all legitimate and necessary expense incurred in attending the meetings of the Board or while performing strictly official duties, but in no event shall they be paid in excess of *Four Hundred* ($400.00) *Dollars* each for services per year. Said salaries per diem and expenses shall be paid, after an itemized statement of the same has been rendered and approved by the Board, from the fees and penalties re-

ceived by the Board under the provisions of this act. The Secretary shall collect all money due the Board from all sources and shall pay the same to the Treasurer within thirty (30) days, taking his receipt therefor. The Secretary, and the Treasurer, shall give bond in such sum as the Board may determine, which at no time shall be for a less amount than is in his hands belonging to the Board, the fee for such bond to be charged as an expense of the office and to be paid from the funds of the Board.

§ 5. *Inspector; Appointment; Salary.*—The Board shall have the power to appoint one or more inspectors whose duty it shall be to ascertain and investigate violations of the provisions of this act in regard to the operation of pharmacies and the sale of medicines, one of whom shall devote his full time to such duties. The inspector shall be Registered Pharmacist in the Commonwealth of Kentucky, and have had five (5) years practical experience in a retail pharmacy. The salary of the inspectors shall be fixed by the Board, but in no event to exceed *Eighteen Hundred* ($1800.00) *Dollars* per year, and in addition they shall be allowed their traveling and all necessary expense incurred in the performance of their official duties, after an itemized statement of the same shall have been rendered and approved by the Board, from the fees and penalties received by the Board under the provisions of this act.

§ 6. *Registered Pharmacist; Qualifications; Fee.*—Any person who is more than twenty-one (21) years of age, of good moral character, possessing such standards of education, both academic and pharmaceutical, and such practical experience as the Board shall from time to time determine, filing written application, properly verified, setting forth his age, residence, education, and practical experience as may be required after passing a satisfactory examination, to be conducted in the English language before the Board under such rules and regulations as the Board may determine, shall be entitled to a certificate as a Registered Pharmacist. Said

certificate shall have plainly written, printed or stamped, upon the face thereof, the words, "Revocable for causes specified by law" and "Awarded upon examination". The examination fee shall not be less than $15.00 nor more than $30.00, as the Board shall, from time to time fix, and shall be charged and collected for each examination taken by each applicant.

§ 7. *Registered Assistant Pharmacists Become Registered Pharmacists; Qualifications; Fee.*—Such persons who are now registered under the laws of this Commonwealth as registered assistant pharmacists, shall continue to hold their status as registered assistant pharmacists; however, immediately after the passage of this Act such registered assistant pharmacists who have had five years practical experience as registered assistant pharmacists in this Commonwealth or such persons as are now registered assistant pharmacists in this Commonwealth, upon completion of five (5) years practical experience in pharmacy as registered assistant pharmacists, filing written application, properly verified, with the Board, setting forth his age, residence, and practical experience, accompanied by a fee to be fixed by the Board of not less than *Fifteen* ($15.00) *Dollars* nor more than *Thirty* ($30.00) *Dollars* as the Board from time to time shall determine, shall receive, after approval by the Board, a certificate as a registered pharmacist of Kentucky. *Provided,* however, immediately after the passage of this act, there shall be no further examinations given by the Board for persons to become Registered Assistant Pharmacists, and certificates to practice as Registered Assistant Pharmacists in foreign states shall not be exchanged to this Commonwealth.

§ 8. *Renewal of Certificates; Annual Fee; Penalty; Effect of Failure to Renew.*—Each Registered Pharmacist and Registered Assistant Pharmacist shall annually between January 1 and April 1, both dates inclusive, if he desires to continue in such profession, pay to the Secretary of the Board a renewal fee, to be fixed by the Board from time to time, which shall not be less than *Six* ($6.00) *Dol-*

lars, for which he shall receive a renewal of his registration. The Board shall each year turn over to the Kentucky Pharmaceutical Association for the advancement of the art and science of pharmacy and its operation, out of the annual renewal fees collected by it, an amount not to exceed *Fifty* (50%) *Per Cent* of the renewals paid during the year. Each registered Pharmacist and Registered Assistant Pharmacist shall keep his renewal certificate conspicuously exposed in his place of business or employment. However, if he is engaged in business at two or more places or is employed at two or more places he must make written application to the Secretary of the Board for a "Card Certificate" to carry on his person, which must be renewed annually, which he must at all times have in his possession while actively engaged in the practice of pharmacy and for which he shall pay a fee to be determined by the Board from time to time of not less than *One* ($1.00) *Dollar* nor more than *Three* ($3.00) *Dollars.* Any Registered Pharmacist or Registered Assistant Pharmacist failing to secure his annual renewal registration within the time herein prescribed shall be assessed a penalty of *Ten* ($10.00) *Dollars* and the further practice of pharmacy is hereby prohibited until said penalty and all delinquent annual renewal registration fees are paid. Any Registered Pharmacist or Registered Assistant Pharmacist practicing pharmacy without a proper registration certificate, or renewal registration certificate or card certificate, shall be guilty of a misdemeanor and upon conviction thereof be liable to a penalty of not less than *Twenty-Five* ($25.00) *Dollars* nor more than *Fifty* ($50.00) *Dollars* for each offense and each day or a part thereof shall constitute a separate offense. Any registered pharmacist, or registered assistant pharmacist who shall fail to secure his annual renewal registration for a period of five consecutive years shall not be entitled to renew his registration except upon passing a satisfactory examination before the Kentucky Board of Pharmacy. (Section as amended by Acts, 1922, p. 229.)

§ 9. *Penalty for Attempting to Procure Registration Wrongfully.*—Any person who shall procure, or attempt to procure, registration as a registered pharmacist for himself or another by making or causing to be made, any false representation, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be liable to a penalty of not less than *Twenty-five* ($25.00) *Dollars* nor more than *One Hundred* ($100.00) *Dollars,* and the name of the person so fraudulently registered shall be stricken from the register. Any person not a registered pharmacist or a registered assistant pharmacist, as provided in this act, who shall take use or exhibit the title of a Registered Pharmacist, or Registered Assistant Pharmacist, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be liable to a penalty of not less than *Fifty* ($50.00) *Dollars nor more than Two Hundred* ($200.00) *Dollars.*

§ 10. *Medicines Not to Be Sold or Compounded Except by Registered Pharmacist or Under His Immediate Supervision; Penalty.*—Any owner of a pharmacy, who, not being a registered pharmacist, shall fail or neglect to place in charge of such pharmacy a Registered Pharmacist, or any such owner and/or proprietor who shall by himself, or any other person, permit the sale at retail of medicine, or permit the compounding or dispensing of prescriptions, except by, or in the presence of and under the immediate supervision of a Registered Pharmacist, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be liable to a fine of not less than *Twenty-five* ($25.00) *Dollars* nor more than *One Hundred* ($100.00) *Dollars,* and each day or part thereof that he shall cause or permit such pharmacy to be so conducted or managed shall constitute a separate and distinct offense and shall render him liable to separate prosecution and punishment therefor, and upon his persistence in so conducting his pharmacy the Board or its authorized agent may cause his pharmacy license to be revoked, and if a Registered Pharmacist also his license as a Registered Pharmacist to be

revoked. It is further provided that nothing in this act or any act seeks to limit, restrict, or prohibit the right of a licensed physician or other licensed practitioner in active practice to keep drugs at any time or place to be used under their discretion in the practice of their profession, but nothing in this act shall be construed to permit the above practitioners to fill prescriptions other than his own. It is further provided that nothing in this act or any act seeks to limit, restrict, or prohibit the sale of harmless drugs and patent medicines in rural districts, but the owner of the business must first submit to the Board a list of the drugs and patent medicines he proposes to sell, and obtain a permit from the Board for such sale. Provided, that anyone violating the provisions herein shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than *Ten* ($10.00) *Dollars* nor more than *Fifty* ($50.00) *Dollars.*

§ 11. *Engaging in Operation of Pharmacy; Fee; Penalty.*—Any owner operating a pharmacy in this Commonwealth shall pay annually during the month of January of each year to the Secretary of the Board a license fee of *Twenty-five* ($25.00) *Dollars.* Seventy five (75%) of such fee shall be paid by the Treasurer into the Treasury of the Commonwealth of Kentucky. Provided, that upon the failure to pay such license fee such owner shall be enjoined from operation of the pharmacy until such license fee is paid. Any person operating, or attempting to operate a pharmacy without having first paid the license fee as provided herein shall be deemed guilty of a misdemeanor and upon conviction thereof, be liable to a penalty of not less than *Twenty-five* ($25.00) *Dollars* nor more than *One Hundred* ($100.00) *Dollars* and each day or a part thereof shall constitute a separate offense.

§ 12. *Medicinal Manufacturing Establishments; Operation; Penalty.*—Any manufacturer of medicine for human and/or animal consumption shall be operated only under the constant supervision of a licensed physician, graduate chem-

ist, doctor of dentistry, registered veterinarian, or registered pharmacist. Provided, anyone violating the provisions herein shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than *Two Hundred* ($200.00) *Dollars, nor more than One Thousand* ($1,000.00) *Dollars,* and each week so operating shall constitute a separate and distinct offense.

§ 13. *Pharmacy Equipment and Library.*—Every owner shall have in his pharmacy at all times the latest edition of the United States Pharmacopoae; the National Formulary; prescription scales or balances sensitive to 1/20 gr. or 3 mg.; a set of apothecary weights ½ gr. to 1 oz.; a set of metric weights 1 mg. to 50 Gm.; a set of at least five (5) graduates (60 minim. 2 ounce, 4 ounce, 8 ounce, 1 pint); a set of at least two (2) graduates (125 cc. and 250cc.); 1 rubber or composition spatula not less than six inches; and one porcelain or glass pill tile not less than ten inches by 12 inches. Provided that anyone operating or attempting to operate a pharmacy without such equipment shall be deemed guilty of a misdemeanor and upon conviction thereof be liable to a penalty of not less than *Ten* ($10.00) *Dollars* nor more than *Twenty-five* ($25.00) *Dollars* and each week or a part thereof shall constitute a separate offense.

§ 14. *Name of Person in Charge of Pharmacy to be Conspicuously Displayed; Penalty.*—The name of the person in charge and responsible at the time for the operation of the pharmacy shall be conspicuously displayed in the store to the view of the public. Provided, that upon failure to comply with this section of the act the owner and person in charge of such pharmacy shall each be deemed guilty of a misdemeanor and upon conviction thereof be each liable to a penalty of not less than *Five* ($5.00) *Dollars* nor more than *Twenty-five* ($25.00) *Dollars* for each day or part thereof shall constitute a separate offense.

§ 15. *Dispensing Hormones; Emmenagogues or Abortives; Barbital and other Hypnotic Drugs Restricted to Pre-*

scriptions.—Hormones, synthetic or otherwise; barbital, salts of Barbituris acid or any derivatives or compounds or preparations or mixtures thereof, possessing hypnotic properteis or effects; sulphonethylmethane (Trional) or sudphonmethane (Sulphonal) or diethylsulphon diethymethane (Tetronal) or Carbromal, by whatever name they may be known, or paraldehyde or any derivatives or compounds or preparations or mixtures thereof possessing hypnotic properties or effects, and choral or choral hydrate or chlorbutanol or any compounds or mixtures thereof possessing hypnotic properties or effects, when such barbital or other hypnotic and somnifacient drugs or any derivatives or compounds or mixtures or preparations thereof are to be used internally; all serums and antitoxins; and the following emmenagogues or abortives:—tansy, pennyroyal; rue, savin, ergot, cotton root and their preparations, patent or otherwise, may not be sold at retail or dispensed to any person except upon the written prescription of a duly licensed physician, dentist or veterinarian. All such prescriptions must be compounded or dispensed by a registered pharmacist and said prescription shall be filled but once, and of which no copy shall be taken by any person. Provided, that any person failing to comply with the requirements of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than *Ten* ($10.00) *Dollars* nor more than *One Hundred* ($100.00) *Dollars.*

§ 16. *Poisons; How to Be Sold; Register to Be Kept; Lists of Poisons to Be Furnished by Board; Penalty.*—It shall be unlawful for any person in this Commonwealth to sell or deliver to any person under 16 years of age or to any person known to be of unsound mind or under the influence of liquor any poisonous medicine classified as a poisonous medicine as herein provided. No person shall sell at retail any poisonous medicine without affixing to the container a label printed or plainly written bearing the word "POISON" in uncondensed gothic capital letters, the letters not to be less

than 24-point size; in any event the size of the letters not to be smaller than the largest type on the label. Two lists of poisons, those of five-grain doses or less and those of six-grain doses or more, together with the antidote for same shall be prepared by the State Board of Pharmacy, subject to revision from time to time by the Board and a copy thereof given to each Registered Pharmacist, registered in this Commonwealth, and said poisonous medicines can be sold only by a Registered Pharmacist; and it shall be his duty on selling those which are classed as five-grain poisons to register the date, name of purchaser, address of purchaser, name of poison, quantity of poison, purpose the purchaser represents it is intended for, and the seller's name, which book of registration shall be preserved and open for inspection for five years from date of last entry. Every poison label in addition to the word "Poison" must bear the name and address of the pharmacy, the name of the poison, and the name of at least two readily accessible household antidotes furnished in above lists by the Board, and the name of the registered pharmacist selling same, and before delivery shall be made the seller must first learn by inquiry that the person to whom delivery is made aware of the dangerous character of the poison and is a proper person to purchase such poison and that it is desired for legitimate purpose. The provisions of this section shall not apply to the dispensing of poisons in not unusual quantities, or doses, on physician's prescriptions, nor to the sale to agriculturists or horticulturists of such articles as are commonly used by them as insecticides. Every person failing to comply with the requirements of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall pay a fine of not less than *Ten* ($10.00) *Dollars* nor more than *One Hundred* ($100.00) *Dollars*.

§ 17. *Right to Make Inspection of Pharmacies.*—The members of the Board and their authorized inspectors are hereby authorized to inspect pharmacies in this Commonwealth for violations of and non-compliance with this act.

§ 18. *Persons Not Pharmacists who Operate Pharmacy or Sell Drugs Must Have Qualified Pharmacist in Charge.*—Any person or persons not a Registered Pharmacist may open, own, or conduct a pharmacy, if he or they keep constantly in charge of same a Registered Pharmacist, but shall not himself or themselves sell or dispense medicines except as herein provided.

§ 19. *Duties of Secretary of Board.*—It shall be the duty of the Secretary to annually publish a list of all persons who are duly Registered Pharmacists, and Assistant Registered Pharmacists in this Commonwealth, and the names of the pharmacies licensed in this Commonwealth, and shall mail a copy of same to each Registered Pharmacist, Assistant Registered Pharmacist, and pharmacy. It shall be the duty of the Secretary to erase from the register the names of any Registered Pharmacist or Assistant Pharmacist who may have died or forfeited his right under the law to practice his profession in this Commonwealth.

§ 20. *Causes for Revocation of Registration of Pharmacists and License of Pharmacies.*—The registration of a Registered Pharmacist or Registered Assistant Pharmacist shall be revoked by the Board if he be convicted of a felony in or out of the State, or he is proven to be an addict to habit-forming drugs, or is an habitual drunkard.

§ 21. *Labels for Medicine and Prescriptions.*—There shall be fastened to the container of every medicine sold at retail, a label bearing the name and address of the store the name of the medicine, but this shall not apply to patent or proprietary medicines in the original package, with their original label. This shall not affect other label requirements. The label on a prescription in addition to whatever else in the statutes applies thereto and in addition to the directions thereon shall bear the name of the doctor prescribing, the date when filled, pharmacy, serial number of prescription, and the name of the Registered Pharmacist filling, or under whose

supervision, is filled, the prescription, and his registration number. Every Registered Pharmacist failing to comply with the requirements of this section shall be deemed guilty of a misdemeanor or and, upon conviction thereof, shall be fined not less than *Ten* ($10.00) *Dollars* nor more than *One Hundred* ($100.00) *Dollars.*

§ 22. *Membership in Kentucky Pharmaceutical Association.*—Any person upon becoming a registered pharmacist in this Commonwealth or upon renewal of his registration is entitled to membership in the Kentucky Pharmaceutical Association without application or additional fee.

§ 23. *Repealing Clause.*—Sections 2621, 2622, 2623, 2319a-2, 2625, 2627, 2628, 2620, 2619, 2630, 2631, 2632, 2635a and other inconsistent laws are hereby repealed.

§ 24. It is hereby declared to be the legislative intent that the provisions of this act are severable, and if any of its provisions, or the application thereof, shall be held unconstitutional, the decisions of the court shall not affect or impair any of the remaining provisions of this act, it being the legislative intent that this act would have been adopted had not such unconstitutional provisions been enacted therein.

By Mr. Sidebottom:

H. B. 488. An Act creating a division of loose-leaf tobacco markets or warehouses consisting of five directors, four of whom to be appointed by the Governor and fixing their compensation and the fifth to be the Commissioner of Agriculture, ex officio, and empowering and directnig the directors of the said division of markets to establish and promulgate official standard of grades for Burley, Green River, One-Sucker, Dark Fired Tobacco and Dark Tobacco not fired, not included in either Green River or One-Sucker variety or type; providing for the inspection, grading and marketing of such tobacco in all loose-leaf tobacco warehouses or markets, the appointment of inspectors and other employees and the fixing

of their compensation, the fixing of fees and the collection thereof, the auditing of the division in performance of this act; and to prohibit the violation of this act and prescribe penalties therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. *Declaration of Policy.*

In order to promote, foster and encourage the intelligent and orderly marketing of loose-leaf tobacco and to eliminate speculation and waste and to stabilize the marketing of same, this act is passed.

§ 2. *Definition as Used in this Act.*

(a) The term "loose-leaf tobacco" means Burley, Green River, One-Sucker, Dark Fired Tobacco and Dark Tobacco not fired, but not included in either the Green River or One-Sucker variety or type, exposed for sale in the leaf, hand, bundle or basket, after being cured, stripped and prepared for sale.

(b) The term "loose-leaf tobacco market" shall include all warehouses, buildings or places maintained by persons or corporations where loose-leaf tobacco is offered for sale or sold at public auction.

(c) The term "director" shall mean director of the division of loose-leaf tobacco markets.

(d) The term "commissioner" shall mean the Commissioner of Agriculture of the state of Kentucky.

(e) The term "Governor" shall mean the Governor of the Commonwealth of Kentucky.

(f) The term "inspector" shall mean inspectors of loose-leaf tobacco offered for sale in loose-leaf markets.

(g) The term "agricultural college" shall mean the College of Agriculture of the University of Kentucky at Lexington, Fayette County, Kentucky.

(h) The term "seller" shall mean warehousemen, loose-leaf tobacco markets and his or its representatives offering for sale or selling loose-leaf tobacco.

§ 3. There is hereby created a division of loose-leaf tobacco markets consisting of five members, one of whom shall be the Commissioner of Agriculture, ex officio. The Governor of the Commonwealth of Kentucky, with the advice of the Commissioner of Agriculture, shall appoint the other four members, two of whom shall be tobacco growers, and two of whom shall be tobacco warehousemen; and the four directors appointed by the Governor shall each receive a salary of $200.00 per month to be paid out of the funds hereinafter provided.

§ 4. The directors, with the approval of the Governor, are hereby empowered and directed:

(a) To establish and promulgate from time to time official standard grades for loose-leaf tobacco which will show the classification, quality, condition and other characteristics of such tobacco and which grades shall conform as far as is practicable to the established grades now generally used and recognized in the Commonwealth of Kentucky.

(b) To appoint, superintend, control and discharge such inspectors or graders and other employees as in their discretion may be deemed necessary for the purpose of inspecting and grading all loose-leaf tobacco produced and offered or exposed for sale in this state on loose-leaf tobacco markets.

(c) To enter and inspect personally, or through authorized agents, each place within the state of Kentucky where loose-leaf tobacco is produced, packed, stored, sold, shipped, transported, offered or exposed for sale or delivered for shipment and inspect such places and grade all loose-leaf tobacco found in any such places.

(d) To fix, assess and collect fees for inspecting and grading loose-leaf tobacco sufficient to meet the costs of such inspecting and grading which fees shall be paid by the seller

but not to exceed one mill on each pound of loose-leaf tobacco so inspected, graded and sold.

(e) To label each pile or basket of loose-leaf tobacco offered for sale in a loose-leaf tobacco market according to the grade, classification, condition or characteristic found.

(f) To require each pile or basket of loose-leaf tobacco sold, offered or exposed for sale to be labeled according to the grade found by the official inspectors appointed under authority of this act.

§ 5. *Loose-Leaf Markets.*

That any corporation, company, partnership or individual engaged in the business of warehousemen for the purpose of receiving, grading, handling, prizing or storing loose-leaf tobacco shall upon receipt of loose-leaf tobacco grade it into distinct and proper grades, as provided by this act, and weigh same and shall give warehouse receipt therefor to the owner or consignor thereof setting forth each grade and the number of pounds thereof; and after so doing said corporation, company, partnership or individual shall plainly mark the name of the owner or consignor of said loose-leaf tobacco upon the basket wherein any part of same is deposited, and each separate grade shall be placed upon a separate basket so marked with the number of pounds therein and the grade thereof and the date upon which the said loose-leaf tobacco was so received by such warehousemen.

It shall be the duty of all warehousemen, or other persons operating a loose-leaf tobacco market to arrange in rows the baskets containing one certain grade, and same shall be offered for sale at public auction in lots of not more than three thousand pounds and after the completion of the sale of any particular grade the total sale price of such grade of loose-leaf tobacco shall be divided by the number of pounds sold on that particular day or sale, and the average price per pound of such grade thus ascertained shall be paid to the owner or consignor thereof in proportion to the number of

pounds deposited by him, and for which he holds the warehousemen's receipt, less the usual and reasonable floor and selling charge.

§ 6. All warehouse receipts so issued by loose-leaf tobacco markets shall be consecutively numbered; shall have the name of the owner or consignor written therein; shall bear thereon the date such loose-leaf tobacco is so receipted; shall have written therein the character and amount of lien or mortgage, if any, upon tobacco so received; and the name of the person holding the lien or mortgage; and such receipts shall be signed by the proper officer of the corporation, company, partnership or individual receiving same. If such receipt be lost or destroyed it shall be the duty of the warehousemen or loose-leaf tobacco market to issue the owner another receipt and mark across or upon the face thereof the word "duplicate".

§ 7. All warehouse or loose-leaf tobacco market receipts so issued by a corporation, company, partnership or individual engaged in the business as above set forth shall be negotiable and transferable by endorsement in blank or by special endorsement and with like liability as bills of exchange now are and with like remedy thereon. And it is provided that every such warehousemen or loose-leaf tobacco market may in such receipts agree and bind themselves to pay the person rightfully holding the same and entitled thereto the value of the property described therein, in the event of loss or damage from any cause while in the possession of such warehousemen or loose-leaf tobacco market.

§ 8. It shall be the duty of such warehousemen or loose-leaf tobacco market to have some person or persons competent to sort and separate such tobacco into baskets or containers into the proper and established grades as herein provided and to weigh same and note the weight thereof upon the label of said such basket or container and to label said baskets or containers as herein provided, and the tobacco so sorted and

labeled shall then be inspected and graded as provided in this act by duly authorized inspectors or graders as herein provided.

§ 9. That it shall be the duty of any tobacco warehousemen or loose-leaf tobacco market, corporation, firm or individual, who shall receive or who shall undertake to receive, or take care of loose-leaf tobacco, for sale at public auction, whether with or without compensation or reward, to post or cause to be posted, a notice in a conspicuous place upon the premises of such warehouse or loose-leaf tobacco market, corporation, firm or individual, stating the number of pounds in the aggregate actually sold, and the average price per pound received on account of each day's sale for each grade sold, and the gross average price per pound of all tobacco thus sold.

§ 10. Said notice shall be posted not later than nine o'clock a. m., on the day following each sale or sales.

§ 11. That on and after the first day of August, 1936, every individual, firm, company, or corporation conducting a warehouse or loose-leaf tobacco market business in Kentucky where loose-leaf tobacco is sold at public auction whether prized in hogsheads or sold in the hands loose, shall keep a correct number of pounds of loose-leaf tobacco sold upon the floor of his house daily, also the number of pounds of each particular grade of tobacco as established herein, sold upon the floor of his house daily and on each succeeding Monday of each succeeding week until the first day of March of each succeeding year, the proprietor or manager of such warehouse or loose-leaf tobacco market shall make a statement under oath of all the tobacco so sold upon the floor of his warehouse or loose-leaf tobacco market during the immediately preceding week, and in such report shall designate the total number of pounds of each grade of such tobacco sold and the average price received therefor, the gross total pounds of tobacco and the average price received therefor and also shall designate

how the total number of pounds of such tobacco was divided as between the following types or varieties of tobacco: Burley, Green River, One-Sucker, Dark Fired Tobacco and Dark Tobacco not fired, but not included either in the Green River or One-Sucker variety or type, and the price paid for same in dollars and cents and shall transmit the said statement by registered mail at once to the Commissioner of Agriculture at Frankfort, Kentucky. The report so made to the Commissioner of Agriculture on blanks which shall be furnished by him, shall be so arranged and classified as to show the number of pounds sold for dealers or rehandlers which shall not include tobacco offered for sale but rejected; and the number of pounds sold by proprietor of the warehouse or loose-leaf tobacco market for his own account or for the account of some other warehouse where same has been resold in said other warehouse, or has been sold previously upon some other market, and shall include with said report a check payable to the division of loose-leaf tobacco markets of Kentucky for the total amount of fees due and owing upon the tobacco sold.

§ 12. The Commissioner of Agriculture shall cause said statement to be accurately copied into a book to be kept for this purpose and shall keep separate and apart the statements returned to him from such loose-leaf tobacco markets in the state so as to show the number of pounds sold by each market for the sale of loose-leaf tobacco, separated according to grade, the number of pounds sold by purchaser and the number of pounds resold on each market; shall keep said book open to the inspection of the public and shall cause said reports to be published on or before the 10th day of said month in a bulletin issued by the Agricultural Department, and in one or more journals published in the interest of the tobacco industry or the farmers and having a general circulation in this state.

§ 13. The seller is hereby required to pay the fees fixed under authority of this act and furnish necessary baskets

and tickets, but shall not charge the grower, owner, or consignor of loose-leaf tobacco in excess of the fee fixed under authority of this act.

§ 14. The seller is required to make known to the buyer the grade of eah pile or basket of loose-leaf tobacco as found by the official inspector or grader.

§ 15. Loose-leaf tobacco offered or exposed for sale shall not be labeled by any other person than a duly authorized inspector or grader, except under the supervision of a duly authorized inspector or grader.

§ 16. Such tobacco warehouse or loose-leaf tobacco market in the state of Kentucky shall on or before the first day of July, 1936, and on or before the first day of July of each succeeding year by written application, duly verified, request of the Secretary of Agriculture a license to operate a loose-leaf tobacco market for the current season and shall in said application accurately set forth the area of its floor by feet, the number of its graders, its proposed charge for floor and sale expenses and the number of pounds of loose-leaf tobacco sold over its floor by bona fide sale during the preceding tobacco sales season, and shall enclose in said application its certified check payable to the division of loose-leaf tobacco markets in the sum of one hundred ($100.00) dollars.

§ 17. Upon the receipt of such application it shall be the duty of the Commissioner of Agriculture with the advice of the directors of the division of loose-leaf tobacco markets, to issue a license to the said tobacco warehouse or loose-leaf tobacco market so applying, for the current tobacco selling season, and no warehouse or loose-leaf tobacco market shall offer for sale any loose-leaf tobacco until said license is displayed in a prominent place at or near the office of said warehouse or market.

§ 18. The Governor of the Commonwealth of Kentucky shall appoint the four directors of the division of loose-leaf tobacco markets herein on or before the first day of June,

1936, subject to good behavior for a term of two years, and they shall immediately qualify by taking the constitutional oath and executing approved bond to the Commonwealth of Kentucky in the penal sum of one thousand ($1,000.00) dollars, conditioned upon the faithful performance of their duties as such.

§ 19. The said four directors, together with the Commissioner of Agriculture, acting ex officio as a fifth director, shall immediately make a survey of the tobacco warehouses and loose-leaf tobacco markets of the Commonwealth of Kentucky and determine the number of inspectors or graders necessary to exercise adequate supervision over the loose-leaf tobacco markets in this state, and shall thereupon appoint capable men, skilled in the handling and grading of tobacco according to the established grades and qualities now recognized, or that may hereafter be fixed and established by the division of loose-leaf tobacco markets in this state, who shall be more than twenty-five years of age, of good character and who shall hold this position subject to the pleasure of the said division of loose-leaf tobacco markets of Kentucky.

§ 20. Each tobacco inspector or grader so appointed shall be paid a salary of two hundred dollars ($200.00) per month for each month, or part of month, that the loose-leaf tobacco markets of the state of Kentucky are in operation, during his term of service.

§ 21. Such tobacco inspector or grader before entering upon his duties as such shall for a period of at least thirty days make careful study of the grades and qualities of tobacco recognized and established by the division of loose-leaf tobacco markets of this state, and said study and training shall be under the control and supervision of the Department of Agriculture of the University of Kentucky.

§ 22. Such tobacco inspectors or graders shall be paid the sum of four dollars ($4.00) per day for each day that he so studies tobacco grades and quality under the supervision

of the College of Agriculture of the University of Kentucky, but shall in no year be paid for more than thirty days of such study.

§ 23. The division of loose-leaf tobacco markets is hereby authorized to pay to the College of Agriculture of the University of Kentucky a reasonable tuition for each of the inspectors or graders who shall receive instruction under the control and supervision of the College of Agriculture.

§ 24. The inspectors and graders herein shall make daily report to the Commissioner of Agriculture, Frankfort, Kentucky, by registered mail, or by personal delivery, of the conditions existing in the several warehouses of loose-leaf tobacco markets to which they may be assigned by the division of loose-leaf tobacco markets.

§ 25. The division of loose-leaf tobacco markets is hereby created for the purpose of exercising a general supervision and control over all loose-leaf tobacco markets, operated and maintained in the state of Kentucky, and is given full authority to investigate unfair practices or unreasonable charges made for floor space, or tobacco sales, or the inspection of tobacco by any warehouse or loose-leaf tobacco market operating in the state of Kentucky, and its jurisdiction is co-extensive with the state lines.

§ 26. The division of loose-leaf tobacco markets upon receipt of a written and verified complaint from an actual bona fide tobacco grower in the state, setting out facts showing unfair treatment therefrom, or excessive charges made by any warehousemen or loose-leaf tobacco market in the state of Kentucky in the matter of the sale of his or their tobacco shall if they deem such complaint made in good faith and evidencing sufficient grounds, serve written notice upon the owners, proprietors or managers of such warehouse or loose-leaf tobacco market so complained of, setting out in detail the nature of the complaint, and the name, or names, of the complainants, and requiring said owners, proprietors,

or managers of said warehouse or loose-leaf tobacco market to show cause, if any they have, why their license to operate such a warehouse or loose-leaf tobacco market for the sale of tobacco should not be revoked for a time or period in the reasonable discretion of the division of loose-leaf tobacco markets. A reasonable time shall be given to the owners, proprietors or managers of such warehouse or loose-leaf tobacco market so notified to prepare their defense and introduce affidavits to show cause why their license should not be revoked. And thereafter should the division of loose-leaf tobacco markets find that said cause of complaint was justified, and that unfair practices or excessive charges or fees have been made or had by such warehouse or loose-leaf tobacco market, then they shall in their discretion revoke the license of such warehouse or loose-leaf tobacco market for such length of time as they may find the circumstances to justify.

§ 27. The finding of the division of loose-leaf tobacco markets as to whether the license of the warehouse or loose-leaf tobacco market should be revoked or canceled shall have the force and effect of a judgment and shall be subject to review by the Franklin Circuit Court as in a suit in equity, upon the petition of the parties aggrieved thereby.

§ 28. The Governor of the Commonwealth of Kentucky, with the advice of the division of loose-leaf tobacco markets of Kentucky, shall appoint a qualified auditor, who shall maintain offices in the Department of Agriculture of Kentucky, and shall receive all taxes assessed herein, and all fees levied and paid herein and enter same upon the books to be kept and maintained by him for that purpose and shall then pay same over to the Treasurer of the state of Kentucky, and receive his receipt therefor. The Treasurer of the state of Kentucky shall deposit said funds in a separate account to the credit of the division of loose-leaf tobacco markets of Kentucky and shall be liable upon his official bond therefor.

§ 29. The salaries and allowances herein provided shall

be paid when due upon the order of the Secretary of Agriculture, signed by him, and countersigned by the auditor of the division of loose-leaf tobacco markets, and drawn against the Treasurer of the state of Kentucky, charged to the division of loose-leaf tobacco markets, and such drafts so drawn shall be duly honored by the Treasurer of the state of Kentucky, and the payment of same shall release him from all liability for the amount so paid.

§ 30. The division of loose-leaf tobacco markets is hereby given authority to hire additional auditors and accountants, if same become reasonably necessary, for the proper administration of its affairs, and to pay them a reasonable compensation therefor, not to exceed two hundred dollars ($200.00) per month for every month so employed.

§ 31. The auditor of the division of loose-leaf tobacco markets shall be paid an annual salary of three thousand ($3,000.00) dollars, and shall be appointed for a term of two years, conditioned upon his good behavior, and shall take the constitutional oath and execute approved bond to the Commonwealth of Kentucky in the penal sum of ten thousand ($10,000.00) dollars, conditioned upon the faithful performance of his duties.

§ 32. Any person, or persons, not acting under the direction or supervision of the division of loose-leaf tobacco markets or the duly appointed inspectors thereof, who shall change, alter or remove any label or marker placed upon any bundle or barket of loose-leaf tobacco in loose-leaf tobacco markets, as provided herein, shall be guilty of a misdemeanor and punished as hereinafter provided.

§ 33. Any person, firm, association, or corporation who shall violate any provision of this act shall be punished by a fine of not less than five dollars ($5.00) nor more than five hundred dollars ($500.00) for each offense.

§ 34. Any director or inspector of the division of loose-leaf tobacco markets with the approval of the Commissioner

of Agriculture is hereby empowered and directed to cause prosecution for violation of this act to be instituted through the Commonwealth's Attorneys of this state, or otherwise in any county of the state of Kentucky where, in his opinion, violations are found.

§ 35. All acts or laws, or parts of acts or laws in confliction herewith are hereby expressly repealed.

§ 36. If any section in this act shall be declared unconstitutional for any reason, the remainder of this act shall not be affected thereby.

§ 37. Whereas, the tobacco growing interests of the state are of the uttermost importance to the people of Kentucky; and

Whereas, a demoralized condition exists in the matter of auctioning and selling loose-leaf tobacco in the state, injuriously affecting all of the business in Kentucky; and

Whereas, this act is designated and intended to afford immediate relief therefrom:

Therefore, an emergency is declared to exist and this act shall become effective immediately upon its passage and approval as required by law.

By Mr. Hunnicutt:

H. B. 489. An Act to amend and re-enact Section 3157 of the 1933 Supplement to the 1930 Edition of Carroll's Kentucky Statutes, being Article VI, Section 12 of Chapter 100, Acts of 1894 as amended, and pertaining to the appointment of Police Court Clerk in cities of the second class, and fixing the salary therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3157 of the 1933 Supplement to the 1930 Edition of Carroll's Kentucky Statutes be and the same is

hereby amended and re-enacted so that when so amended and re-enacted the same shall read as follows:

(1) The judge of the police court shall have the authority to appoint a clerk of his court, who shall receive for his service such salary as the General Council or the Board of Commissioners shall fix by ordinance, providing, however, that such salary shall not exceed Eighteen Hundred ($1,800.00) Dollars nor be less than Fifteen Hundred ($1,500.00) Dollars per annum.

(2) All laws or parts of laws in conflict herewith are hereby repealed.

By Mr. Carter:

H. B. 490. An Act establishing as part of the primary system of state highways, a road known as the Glasgow-Tompkinsville road, via Nobob, Sulphur Lick, Forkton, in Barren and Monroe counties.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road leading from Glasgow, in Barren County, to Tompkinsville, in Monroe County, following present route of said highway from Glasgow to a point on the Glasgow-Burkesville road about eight miles from Glasgow, thence to Nobob, thence to Sulphur Lick, thence to Forkton, thence to Tompkinsville.

§ 2. The construction and maintenance, supervision and control of said road shall be subject to and controlled by provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all laws pertaining thereto, establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original Act as one of

the projects of the primary system of State Highways, as provided therein.

By Mr. Larrimore:

H. B. 491. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Greensburg and Hardyville Road near Arvin Akins farm, and running in a northern direction by way of the Narrows of Pitman Creek and intersecting with the Summersville and Gabe Road near Taylor McKinney's farm in Green County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Greensburg and Hardyville Road near Arvin Akins farm, and running in a northern direction by way of the Narrows of Pitman Creek and intersecting with the Summerville and Gabe Road near Taylor McKinney's farm in Green County, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

By Mr. Grogan:

H. B. 492. An Act to add to the primary system of public roads a road beginning at the west banks of the Tennessee River at or near the Kentucky–Tennessee State line; thence west on the Kentucky–Tennessee State line to Hazel to Crossland in Calloway County to Boydsville, Dukendom in Graves County to Fulton in Fulton County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of state highways a road beginning at the west banks of the Tennessee River at or near the Kentucky–Tennessee State line; thence west on the Kentucky–Tennessee State line to Hazel to Crossland in Calloway County to Boydsville, Dukendom in Graves County to Fulton, in Fulton County, Kentucky.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways, the same as though said road had been named in said original Act as one of the projects of said primary system of highways.

By Mr. O'Neill:

H. B. 493. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on the improved highway leading from Greenville, in Muhlenberg County, to Kirkmansville, in Todd County, at a point south of the residence of John W. Drake in Muhlenberg County, and running to a point in the old Greenville and Elkton Road in Muhlenberg County, just south of the George Melton farm.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on the improved

highway leading from Greenville to Kirkmansville south of the residence of John W. Drake, said point being at the mouth of the lane between the lands of said John W. Drake and Charles Caskey in Muhlenberg County, and running to a point in the old Greenville and Elkton Road in Muhlenberg County just south of the George Melton farm at the mouth of the lane leading into said old Greenville and Elkton Road.

§ 2. The road now established as part of the primary system of highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission, and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

By Mr. Wells:

H. B. 494. An Act establishing as part of the system of state highways a road known as the Bewleytown road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road in Barren county known as the Bewleytown road, said road starting at Tracy Church on the Glasgow–Fountain Run highway and ending at Browns Ford on Barren River.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of state highways, to the same effect as if said road had been named in the original

act as one of the projects of the primary system of state highways as provided therein.

By Mr. Tapp:

H. B. 495. An Act adding to the state primary system of highways a project connecting U. S. No. 41 at Manitou, Hopkins County, Kentucky, and the Madisonville–Princeton Road No. 317-417, just west of Richmond at the Richland Creek bridge.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the state primary system of highways of Kentucky, a road project beginning at a point near the Christian Church at Manitou, on U. S. No. 41, and running West via Ez Tapp's farm, Possum College, Greasy Creek and Lee Schmetzer's residence, and thence with a lane to and with Richland Creek, intersecting the Madisonville–Princeton Road No. 317-417 at the Richland Creek bridge, between one-half and one mile West of Richland, following the old roads as near as practicable a distance of about six (6) miles in Hopkins County, Kentucky.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

By Mr. Tapp:

H. B. 496. An Act adding to the State Primary System of Highways a project connecting State Highway No. 85 at the Pete Laffoon farm, with Madisonville-Brazzel Bridge Public Road, near Homer Suthard's farm, in Hopkins County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road project beginning at a point on State Highway No. 85, known as the Pete Laffoon farm, and running East with the old road via Will Jamison's farm one (1) mile; thence West one (1) mile, and North one (1) mile, and West eight (8) miles via Ball, Todd and Medlock Schools, and intersecting the Madisonville-Brazzel Bridge Public Road near Homer Suthard's following the old roads as near as practical, in Hopkins County, Kentucky, a distance of about ten (10) miles.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

By Mr. Carter:

H. B. 497. An Act creating and establishing as a part of the primary road system of highways of the State of Kentucky a road running from Highway No. 90 at Summer Shade to the Red Houses a distance of three miles, in Metcalfe County. Said road to be designated by the State Highway Department with an appropriate project number.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road running from Highway No. 90, beginning at the postoffice at Summer Shade to the Red Houses, a distance of three miles in Metcalfe County; the road thus established shall be designated with an appropriate project number and shall be entitled to receive all benefits of such laws as are now or may

hereafter be in effect with relation to the primary road system of Kentucky.

By Mr. Wells:

H. B. 498. An Act establishing as part of the primary system of State Highways a road known as the Milburn and Taylor road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road known as the Milburn and Taylor road in Barren County, said road starting near Antioch Church on the Glasgow-Flippin road and ending at its intersection with the Glasgow-Fountain Run road at Union Church.

§ 2. That the construction, maintenance, supervision, and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original act as one of the projects of the primary system of State highways as provided therein.

By Mr. Hulette:

H. B. 499. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road beginning at the Forks of Elkhorn in Franklin County on Highway 40 running through the town of Switzer to Stamping Ground in Scott County on Highway 227.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at the Forks of Elkhorn in Franklin County on Highway 40 running through the town of Switzer to Stamping Ground in Scott County on Highway 227.

§ 2. The construction, maintenance, supervision, and control of said road shall be subject to all the laws of the State of Kentucky appertaining to State highways.

§ 3. The Highway Commission is hereby directed to assign to the above road an appropriate project number.

To Committee on Roads and Highways No. 2.

By Mr. Gnau:

H. Res. 49. An Act authorizing Genevieve Collins, Committee of John M. Green, to sue the State of Kentucky, under Section 518 of the Civil Code of Practice, to set aside a judgment rendered against the said John M. Green by the Jefferson Circuit Court.

Said resolution is as follows, viz.:

Whereas, Upon the last day of April, 1935, the Jefferson Circuit Court, Criminal Branch, entered judgment for $4,000.00 and costs on the forfeiture of a bail bond, executed on the 11th day of August, 1934, by the said John M. Green, in the case of Commonwealth of Kentucky v. Richard Eaton, No. 67,184; and,

Whereas, On the 8th day of August, 1935, the said John M. Green was adjudged in the said Jefferson Circuit Court, Criminal Branch, a person of unsound mind and incompetent to handle his own affairs, and the said Genevieve Collins, his daughter, qualified and was appointed, and has been ever since, and is now, the Committee of said John M. Green; and,

Whereas, The said Genevieve Collins contends that her ward, John M. Green, was incompetent and did not have sufficient mental capacity at the time said bail bond was executed, to wit: August 11, 1934, to make a contract, and that the said John M. Green was at the time and ever since said time has been a person of unsound mind, and that by reason of the mental condition of said John M. Green the said bail bond executed by him is and was voidable, and that no judgment should have been taken against him upon the forfeiture of said bail bond:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the said Genevieve Collins, Committee of John M. Green, be authorized to bring and prosecute a suit, under Section 518 of the Civil Code of Practice, in the Franklin County Circuit Court against the Commonwealth of Kentucky, under the style of Genevieve Collins, Committee of John M. Green, in order to determine whether or not said judgment rendered in Criminal Case No. 67,184, Jefferson Circuit Court, Criminal Branch, should be set aside and held for naught, and whether or not the Commonwealth should have judgment on the bail bond executed by said John M. Green in said case.

§ 2. Either party to said suit may appeal from any judgment which may be rendered therein by the Franklin Circuit Court, to the Court of Appeals, and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky, in the same way as any other civil case.

By Mr. McConnell:

H. Res. 50. Resolution, For the benefit of the City of Princeton and authorizing the State Highway Commission of Kentucky to ascertain the cost of the construction of Federal

Highway No. 62, now unpaid, through the corporate limits of said city over the route now built and maintained and to pay the amount thereof to the City of Princeton.

Said resolution is as follows, viz.:

Whereas, The State Highway Commission has constructed Federal Highway No. 62 up to the corporate limits of the City of Princeton on both sides of the said city and a part of said highway within the city limits of said city, and,

Whereas, The City Council of said city has constructed by an ordinance duly enacted a street running through said city upon a ten year bond plan, as provided by Kentucky Statutes, Section 3563, of a type of construction similar to the type used by the State Highway Commission up to the corporate limits, on either side of said city and within said corporate limits, and,

Whereas, Some of the taxpayers and abutting property owners of the City of Princeton are unable to meet the terms and pay the taxes thereon, and others have not been required to pay: Now, Therefore,

Be it Resolved by the House of Representatives:

That the Commonwealth of Kentucky, by and through its agent, the State Highway Commission of Kentucky, be and it hereby is authorized to ascertain the actual cost of the construction of Federal Highway No. 62, over the route within the corporate limits of the City of Princeton herein above described, and the unpaid balance due, and after having done so, the State Highway Commission of Kentucky, by and through its agent, the State Highway Commission of Kentucky, as party of the first part, binds itself and agrees to pay to the City of Princeton, as party of the second part, such sum as the State Highway Commission may ascertain to be the actual cost of construction of said road, now unpaid, within said city; and upon the execution of said contract aud the filing of same in the office of Secretary of State, and upon presenta-

tion to the Auditor of Public Accounts of a certified copy, he is hereby authorized to draw his warrant upon the State Treasurer payable to the order of the City of Princeton for such sums as have been paid and are now reasonably due as provided aforesaid.

By Mr. O'Neill:

H. Res. 51. Resolution authorizing J. B. Lacefield, of Central City, Muhlenberg County, Kentucky, to sue the Commonwealth of Kentucky and the State Highway Commission.

Said Resolution is as follows, viz.:

Whereas, The State Highway Commission and the Commonwealth of Kentucky were constructing a bridge on the Owensboro-Livermore highway in Daviess County, Kentucky, and

Whereas, They had removed the old bridge, leaving an open ditch across the main highway, and

Whereas, they had piled stones and other debris along the banks of said ditch and across said highway obstructing the highway, and,

Whereas, on the night of December 12, 1935, J. B. Lacefield, a deputy sheriff of Muhlenberg County, Kentucky, while proceeding to Owensboro, Kentucky, on official business ran into the embankment which was placed across the highway by the State Highway Commission, and received severe personal injuries and also damaged his automobile to a considerable extent, and,

Whereas, the State Highway Commission and the Commonwealth of Kentucky had not placed adequate lights or any other warning to motorists using this highway of the presence of this obstruction placed across the highway by them, and

Whereas, because of said negligence of the State Highway Commission and the Commonwealth of Kentucky, J. B. Lacefield received severe injuries and considerable damage to his person and automobile through no fault of his own: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. B. Lacefield be and he is hereby authorized to sue the Commonwealth of Kentucky and the State Highway Commission of Kentucky and the Daviess County Circuit Court for such damages as he may have sustained, if any, by reason of any injury to his person or to his property through the carelessness or negligence of the State Highway Commission of Kentucky, its agents or employees, and in the event any judgment is recovered by the said J. B. Lacefield in said suit for damages to his person or property same shall be paid by the Auditor of the Commonwealth of Kentucky by warrant on Treasurer.

§ 2. Either party to said suit may appeal from any judgment which may be rendered in the Daviess circuit court to the Court of Appeals and the case may be settled and adjusted with the consent of the Attorney General of the Commonwealth of Kentucky in the same way as any other civil cases may be settled or adjusted.

By Mr. H. H. Allen:

H. Res. 52. A Resolution authorizing W. S. Curl to sue the Commonwealth of Kentucky and the State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, on or about the 15th day of June, 1933, W. S. Curl, a resident of Meade County, while employed as a workman on State Maintenance Highway Project No. 8X in Meade

County and in a rock quarry thereby a blast of rock occurred causing injury to the said W. S. Curl while he was employed by the State Highway Commission, and,

Whereas, it is the contention of the said W. S. Curl that the said injuries were caused by the negligence and carelessness of the employees of the State Highway Commission of the Commonwealth of Kentucky in that they failed to give the proper warning of the blast, or to post a notice or to give a signal as to the time of the setting off of the blast which resulted in his injuries:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That W. S. Curl be and he is authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either, in the Meade Circuit Court, the residence of the said W. S. Curl, for damages for the loss of earning power, loss of time from work, physical suffering and for hospital and medical bills of the said W. S. Curl which were all brought about and caused by the negligence of the employees of the State Highway Commission, and in the event any judgment is recovered by W. S. Curl in said suit for injuries to himself or if same is compromised or settled, said judgment shall be paid by the Auditor of Public Accounts of the Commonwealth of Kentucky by warrant drawn on the State Treasurer and paid out of the General Fund. Either party to said suit may appeal from any judgment that may be entered therein as in any other civil suit and the case may be settled and adjusted with the consent and approval of the Attorney General of the Commonwealth of Kentucky in the same way as any other civil case.

Mr. Joe Robinson moved that the Rules of this House be suspended and that the House do now take up for immediate consideration a bill entitled:

H. B. 71. An Act relating to suffrage and elections and

providing a method of registering voters in this Commonwealth residing outside of the city limits of cities of the first, second, third and fourth classes, and fixing penalties for violation of the law.

With a Committee amendment thereto by way of Substitute therefor.

Said motion was agreed to.

Thereupon the House took up for consideration from the Orders of the Day, said bill.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. In each and every election held in the Commonwealth of Kentucky, wherein and whereby the voter expresses his suffrage by means of the secret ballot system, in all precincts outside of the corporate limits of cities of the first, second, third, and fourth classes, and in those precincts lying partly within and partly without the corporate limits of said cities, and where no means of registration is now provided by law, no ballot shall be delivered to any person offering to vote unless the voter's name appears on the registration book of the precinct in which he offers to vote.

§ 2. Every person in the Commonwealth residing outside of the cities of the first, second, third, and fourth classes, who is, or who may be as hereinafter set out, qualified to vote in any such election and who desires to cast his vote, may register at the time and place, and in the form hereinafter set out.

§ 3. The first registration held under this Act shall be at the voting precincts in each county at the primary election to be held on the first Saturday in August, 1936, and on the

date of said primary election every four years thereafter a new registration shall be held.

§ 4. Any person possessing the qualifications of a legal voter who is, or who may be as hereinafter set out, qualified to vote in any such elections and who desires to cast his vote and who fails to register on such primary election date, may appear before the county court clerk of the county of the residence of such voter, between the tenth day of August and the tenth day of October, and between the tenth day of November and the tenth of July (Sundays and legal holidays excepted) at any hour of the day the office of the County Court Clerk may be open for business. Said registration before the County Court Clerk shall be good until the next general registration day as provided herein. Any voter who wishes to change his party affiliation may appear before the clerk between said dates of any year, and upon his request, the clerk shall make said change on the registration book.

§ 5. No person shall be registered who does not personally appear before the officers on said primary election date, or who does not personally appear before the County Court Clerk at and within the times hereinbefore set out, except those hereinafter provided for, and the voter, if he be not known to the clerk, or if any bystander shall challenge the voter's right to register, shall be sworn by the clerk and shall answer any and all questions asked him by the clerk or bystander, touching his qualifications as a voter, or his right to be then and there registered, and on the registration book opposite the name of the voter, the clerk shall write the words, "sworn as to qualifications." Any voter otherwise qualified who, on account of age, infirmity or illness, is not able to attend the County Clerk's office of the county of his residence during the time between the dates above set out, may between the first and thirtieth day of September (both inclusive) be registered in the following manner: He shall present to the clerk by mail or at the hands of some friend, an affidavit stat-

ing that his failure to appear was due to age, infirmity, or illness, and an affidavit of a physician or neighbor corroborating the voter's affidavit. Upon compliance with the foregoing the clerk shall enter his name on the registration book for the precinct of his residence, the same as if he had registered before the clerk in person.

If any such voter be unknown to the Clerk, or if his right to register be challenged, it shall be the duty of the Clerk to write opposite his name on the registration book the word, "questioned," and it shall be the duty of the election officers, when said voter applies for a ballot, if there be any doubt of his qualification to vote, to swear said voter, who shall, under oath, answer such questions as may be asked him touching his qualifications.

§ 6. It shall be the duty of the County Court Clerk of each and every county in this Commonwealth to prepare the proper form of registration books for the purpose of registration. He shall provide two registration books for each precinct, one marked "original," and the other, "copy." In the original and copy book he shall enter the names of the voter, with such other facts, data and remarks as may be required, which original and copy he shall at all times keep in a safe place in his office, except that the copy shall be furnished election officers as hereinafter provided. The book marked "copy" shall be an exact duplicate of the original, and in this book the Clerk shall copy for each precinct the names of the voters as shown on the original, together with such facts, data and remarks as appear on the original. The copy shall be made from the original within ten days after the tenth day of August and the tenth day of October, respectively, and every year thereafter preceding the next general registration year the Clerk shall add such voters as have been registered in the original book.

The Clerk of the County Court shall deliver at the same time he delivers the ballots, the book marked "copy" to the

precinct election clerk for use in the election, and the election clerk shall give the County Court Clerk a receipt for same, and it shall be the duty of the Clerk of the Election to produce (or see that same is produced) the book so delivered to him at the proper polling place in his precinct at the opening of the polls on each election day.

§ 7. The registration book shall be arranged so that the name of the voters may be registered alphabetically, together with the number of the precinct, and the name of the nearest neighbor resident. The clerk shall also indictae the color of the registrant, and shall also indicate the party affiliation, by words, letters, or abbreviations, such as D. for Democrat; R. for Republican; P. for Prohibitionist; S. for Socialist; S. L. for Socialist Labor; I. for Independent, and such like.

The form of the registration book shall be as follows:

Name of Voter.
Nearest Neighbor.
Number and Name of Precinct.
Color.
Party Affiliation.
Remarks.

In case a voter moves from a precinct in which he has been registered and an election is to be held prior to the time when such voter may appear before the Clerk, and upon making oath as to his removal and indicating the precinct to which he has removed, the Clerk shall, under the heading "remarks," on the book of original registry, write the words, "removed to .....precinct" (filling in the name of the precinct to which the voter has removed), and shall at the same time register such voter in the book of the proper precinct.

§ 8. Any voter may, by giving five days' notice in writing, to any person whose name has been registered, move the county court to strike his name from the register, and both

parties may introduce witnesses, not exceeding two in number on each side. Said notice must be served personally. If at the hearing the court shall be of the opinion that the person registered is not lawfully entitled to register, it shall direct the clerk to strike his name from the register, by inserting opposite to it the words, "Stricken off by order of the county court." If the person upon whom notice is attempted to be served cannot be found, the clerk shall write opposite such name on the registration book the word "doubtful," and when at an election such person whose name is marked "doubtful" shall offer to vote he shall be sworn, and his right to vote investigated fully.

§ 9. The officers of the election shall, when a vote is cast, mark opposite the name of the person voting in the column headed "remarks" the word "voted," or the letter "V," and unless such word, or such letter, be written therein it shall be prima facie evidence that the person against whose name nothing is written has not voted. It shall be the duty of the clerk of the election to return to the county clerk on the day of, or day immediately succeeding the election, the registration book for which the clerk shall give him a receipt.

§ 10. The furnishing and printing of the registration books, and all necessary books, printing and paraphernalia shall be paid for by the respective counties. It shall be the duty of the clerk to preserve the copies used by the election officers in conducting any election from year to year, adding each year the names of the voters registered in the original book. In case the copy or the original should become mutilated, badly torn, destroyed, burned or lost, such books, if possible, shall be replaced or recopied, for which the county shall pay the expenses. In case all books should be destroyed or lost, then a full registration shall be held in the succeeding year, as is above provided. The clerk may, if the necessity demands it, copy from either book to the other.

§ 11. Any county court clerk or deputy county court

clerk who shall falsely or fraudulently register the name of any person, or permit any person to register, knowing that such person is not entitled to register, or who shall fraudulently alter, change, or make erasures in, or add names to any registration book, or who shall register the name of any person at any other time or times, as fixed herein, or who shall fail or refuse to deliver to the person entitled thereto, or to the proper election officers, copies of the registration, or the copy of the books to be used in such elections as they are required to be used for, shall be deemed guilty of a felony and, upon conviction, punished by confinement in the penitentiary for not less than one nor more than three years, and shall thereafter be disqualified from holding any elective or appointive office in this Commonwealth.

§ 12. Any person who shall cause himself to be registered in more than one precinct, or in a precinct other than that in which he is a legal voter, or shall register under any name than his real name, or who shall give a false address, or who in any manner or method shall cause himself to be registered when he is not legally entitled to register, or any person or officer who shall in any way aid, abet, counsel or advise in the commission of any such act, or acts, shall be deemed guilty of a felony, and upon conviction shall be confined in the penitentiary for not less than one year nor more than three years.

§ 13. Any county court clerk or election officer, or other person who shall unlawfully alter or change any registration book, or add any name thereto, or who shall willfully secrete, suppress, mutilate or destroy, or make, or use any false or fraudulent registration book, shall be deemed guilty of a felony, and shall be, upon conviction, confined in the penitentiary for not less than one nor more than three years.

§ 14. Any person who shall attempt to or forcibly prevent any person from registering, or shall in any way unlawfully interfere with any person registering, or shall prevent

or interfere with a clerk in carrying out his duties with relation to the registration of voters, shall be deemed guilty of a misdemeanor, and shall be fined not less than one hundred nor more than five hundred dollars, or imprisonment for not less than six months nor more than twelve months, or both, in the discretion of the court or the jury.

§ 15. The clerk of the county court shall permit any citizen to inspect at all reasonable hours, or to make copies of any registration book without any fee, and he shall also, upon request, furnish to any person requesting same a copy or copies of the registration book, or books, for which he shall receive compensation as provided in the succeeding section.

§ 16. The clerk for his services in the carrying out of the provisions of this law shall be entitled to collect the following fees:

For original registration, two cents for each person registered; for copying from the original registry into the "copy" book, or copying from the original for the use of any person, two cents per name, including data and remarks; for making copies of any registration books lost, mutilated or destroyed, two cents per name, data and remarks included; for all services with relation to the purging of the registration as hereinafter required, five cents for every name ordered stricken off, all of which expenses and fees shall be paid by the county, except where the copying be done for an individual requesting the copy.

The county clerk shall appoint a deputy clerk for each and every voting precinct in his county, outside the corporate limits of any city of the first, second, third or fourth class, and in every precinct which lies partly without and partly within the corporate limits of any of said cities, who shall serve as such for one day only. On the day of the primary to be held in the year 1936, and on every primary election day every fourth year thereafter, each deputy clerk so appointed shall be provided with the registration book, and shall be

present in the room where such primary election is held, and shall register as herein provided every person who offers himself for registration, and who has the legal right to vote, or who will have the legal right to vote in the next succeeding election in said precinct. In precincts which lie partly without and partly within the corporate limits of any of the cities of the first, second, third, and fourth classes he shall register those voters only who live outside the corporate limits of said city. The clerk or one of the officers of the election shall write the name of the person so registering in the proper place in the "copy book" in his possession, filling in all blanks in the same manner as the county court clerk is directed to fill them in. In this manner any person entitled to register in the precinct shall be so registered, and when so registered shall be entitled to vote in the primary election held on that date, and in all subsequent elections as provided in this act until the fourth year thereafter. Any officer of the election may challenge the right of such person to register, whereupon he may be sworn touching his right to so register, and, if registered, the clerk shall follow the same procedure as will be done in Section 5 hereof—provided for such cases. When the "copy book" is returned to the county court clerk, he shall immediately copy the names of the persons thus registered into the original book for the respective precincts, in his said office. The deputy county court clerk shall be entitled to a fee of two cents per name for all persons so registering, the claim to be certified by the county court clerk, and to be paid as provided in Section 10 hereof.

And provided further, that wherever in this act a duty is imposed on the county clerk, it may be performed by any deputy county court clerk, who may be subject to all penalties provided herein against the county clerk, and for the registration held at the primary election all penalties imposed upon the county clerk in the violation of this law, when such violations occur, shall be imposed upon the deputy clerk, or

the clerk of the election. All election officers shall be liable to the penalty provided in Sections 12 and 13 hereof, for any violation of law mentioned in such cases, and for any violation or refusal to permit the deputy county court clerk to enter and remain in the voting room, or for any interference of such officer in the performance of his duties under this law shall be punished as provided in Section 14 hereof.

Nothing in this law shall be construed to prevent any soldier, sailor, officer or employee of the United States Government, or officer or employee of the Commonwealth of Kentucky, or any person coming within the meaning of the words, "absent voter," from registering in the manner now or as may hereafter be provided by law.

§ 17. All laws in conflict herewith are hereby repealed.

Said Substitute is as follows, viz.:

H. B. 71. An Act relating to suffrage and elections and providing a method of registering voters of this Commonwealth residing outside of the corporate limits of cities of the first class, fixing penalties for violations of this Act and repealing Chapter 64 of the Acts of the General Assembly, 1924 Session, as amended, being Sections 1486-b1 to 1486-b27, inclusive, of Carroll's Kentucky Statutes, 1930 Edition.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. This Act may be cited and referred to as the "General Registration Act". The term "initial registration" shall refer to the general initial registration to be held in each precinct as provided in this Act.

Any word importing the masculine gender, when used herein, shall extend to and be deemed to include women as well as men.

§ 2. Every citizen of the United States not otherwise disqualified by the laws of this Commonwealth, who is twenty-

one years of age or who will become twenty-one years of age on or before the next regular election to be held in November of any year, or on or before the date of any special election, and who will have been a resident of the State of Kentucky one year, and of the county six months, and of the precinct, outside the corporate limits of a city of the first class, in such county for sixty days next preceding such election, and who is a registered voter, and is otherwise qualified, shall be entitled to vote for all officers elective by the people, and on all measures or questions submitted for determination by the voters at any regular or special election; provided, however, that only persons who are duly and properly registered as herein provided shall be permitted to vote at the primary election to be held on the first Saturday in August, 1936, and at all primary, general and special elections held thereafter.

§ 3. The initial registration held under this Act shall be at the voting precincts in each county at the primary election to be held on the first Saturday in August, 1936. After said initial registration, all further registration or change of registration shall be made in the manner herein provided.

§ 4. Any person possessing the qualifications for registration as a legal voter as set out in Section 2 hereof, and who fails to register on such primary election date, may appear before the county court clerk of the county of the residence of such voter, between the fifteenth day of August and the first day of October, and between the fifteenth day of November and the first day of July of any year (Sundays and legal holidays excepted) at any hour of the day the office of the County Court Clerk may be open for business. Any voter who wishes to change his party affiliation may appear before the clerk between said dates of any year, and upon his request, the clerk shall make said change on the registration book.

§ 5. No person shall be registered who does not personally appear before the officers on said primary election date, or who does not personally appear before the County Court

Clerk at and within the times hereinbefore set out, except those hereinafter provided for, and the voter, if he be not known to the clerk, or if any bystander shall challenge the voter's right to register, shall be sworn by the clerk and shall answer any and all questions asked him by the clerk or bystander, touching his qualifications as a voter, or his right to be then and there registered, and on the registration book opposite the name of the voter, the clerk shall write the words, "sworn as to qualifications". Any voter otherwise qualified who, on account of age, infirmity or illness, is not able to attend the County Clerk's office of the county of his residence during the time between the dates above set out, may between the first and thirtieth day of Setpember (both inclusive) be registered in the following manner: He shall present to the clerk by mail or at the hands of some friend, his affidavit stating that his failure to appear was due to age, infirmity or illness, and an affidavit of a physician or neighbor corroborating the voter's affidavit. Upon compliance with the foregoing the clerk shall enter his name on the registration book for the precinct of his residence, the same as if he had registered before the clerk in person.

If any such voter be unknown to the Clerk, or if his right to register be challenged, it shall be the duty of the clerk to write opposite his name on the registration book the word, "questioned", and it shall be the duty of the election officers, when said voter applies for a ballot, if there be any doubt of his qualification to vote, to swear said voter, who shall, under oath, answer such questions as may be asked him touching his qualifications.

§ 6. The Attorney General of Kentucky, and the two appointive members of the State Board of Election Commissioners shall constitute a Board to prepare proper blanks and record forms fgr the registration of voters as herein provided. It shall be the duty of said Board to have said blanks and record forms properly prepared on or before the tenth day

of July, 1936, by which date the necessary blanks and forms shall be in the hands of the county court clerks of each county, for distribution to the primary election officers in each precinct of the State. Said blanks and forms shall be printed, prepared and furnished as other books are now printed and prepared for the Commonwealth, and shall be paid for out of the State Treasury, as is now provided by law for the payment for any and all other blanks, forms and books furnished each county by the Commonwealth of Kentucky. Separate card or looseleaf registration record forms for the registration of the individual voters shall be prepared in duplicate, upon durable paper and of convenient size and shape as determined by the Board, the original cards or forms being printed upon white paper and marked "Original", and the duplicates printed upon paper of another color and marked "Copy", each of said cards or forms providing for the entry thereon of the following information, signatures and affidavit of the voter:

Date of Registration.....Serial Number.....
Name of Voter .....
Address .....
(Number) (Street) (City, town or post office)
Nearest neighbor, if not in city or town.....
Term of Residence: State.....
County.....Precinct .....
Color.....Occupation .....
Party Affiliation.....Sex .....
Apparent Weight .....
Apparent Height .....
Other Means of Identification .....
Remarks .....
.....

AFFIDAVIT OF REGISTRATION

I hereby swear (or affirm) that I am a citizen of the United States, that on the day of the next election I shall be

at least twenty-one (21) years of age, and shall have resided in the State of Kentucky one (1) year, in the county of .....six (6) months and in the..... precinct sixty (60) days, and that I am legally qualified to vote.

.....

Signature of Voter.

Subscribed and sworn to before me this.....day of.....

.....

Clerk.....County Court

VOTING RECORD

Stamp or write the date of each election at which the elector votes on the first vacant space.

At the time of registering a voter, the Clerk shall enter upon the original record forms the name of the voter and all other data and information called for on said form; after such entries have been made, the voter shall, in his own hand, write his signature to the affidavit of registration upon both the original and copy record forms, and shall be sworn to such affidavit by the clerk. The clerk, either at the time of registering the voter or as soon thereafter as practicable, shall enter upon the copy record form the name of the voter together with all of the data and information appearing on the original record form, so that the copy form shall be an exact duplicate of the original, and shall at all times keep in a safe place in his office both the original and copy record forms except that the copy forms shall be furnished to the election officers as herein after provided.

In the event any applicant for reigstration states under

oath that he cannot write his name, the clerk shall sign the registration record forms for such person, and such person shall sign said records by making his mark thereon and the clerk shall attest the same.

The original and copy record forms shall be filed in securely locked binders or card files, by precincts, in such systematic order as the Board shall prescribe and shall constitute the precinct registers to be used as hereinafter provided.

§ 7. Upon each primary, special or general election, the precinct register containing the "copy" record forms signed by the voters, after having been first securely locked in the binders or containers provided therefor, shall be delivered by the county court clerk to the precinct election clerk of each precinct at the same time he delivers the ballots and the election clerk shall give the county court clerk a receipt for same and it shall be the duty of the precinct election clerk to produce such precinct register so delivered to him (or see that same is so produced) at the proper polling place in his precinct at the opening of the polls on such election day. The county court clerk shall also at the time of delivering the ballots, deliver to the precinct election clerk a complete and correct single-spaced typewritten list, in triplicate, of all voters then registered in said precinct and entitled to vote in said election, giving the name and adrdess of each voter, each page being separately attested by the county court clerk; the election clerk shall, at the opening of the polls, post one copy of the typewritten list outside the entrance to the voting place, and deliver one copy to the sheriff of the election, retaining the third copy for the use of himself and the judges of the election. At the close of the polls the election clerk shall deposit one copy of said list in the ballot box; the election officers who return the ballot boxes to the county court clerk's office shall at the same time return said precinct register to the county court clerk and secure a receipt therefor.

§ 8. If any person applying to vote at any primary, special or general election is unknown to the election officers, or is challenged, such person, before a ballot is issued to him, shall be required to sign his name upon a comparative signature card, unless such person signed his registration record by making his mark, and it shall be the duty of the officers of election in that precinct to compare the signature of such person with the signature of such person in the registration record form in the precinct register. The challengers of the respective political parties present shall also have the right to compare said signature at the same time said comparison is made by the election officers. If such comparison of signatures shall create a doubt in the mind of two of the election officers, as to whether the person applying to vote is the same person as the registrant, no ballot shall be issued to him unless he shall otherwise satisfactorily establish his identity as the registrant.

In the event any person applying to vote at any election shall state that he cannot sign his name as above provided, the judges of the election in that precinct shall immediately swear such person as to his name and his inability to write, and thereupon the judges of election and the challengers of the respective political parties present shall examine the registration record in the precinct register, and if it is shown by said record that the person of that same name signed his name on the registration record, a ballot shall not be issued to the person so applying, unless the inability of the person to sign his name at the date of such election is due to some physical disability arising subsequent to his registration.

It shall be the duty of the election officers to make, keep and return to the county court clerk, a record or record sheets to be provided in the same manner as other election paraphernalia are provided, of each person so sworn, and showing the disposition made of such case.

It shall be the duty of the clerk of each precinct, imme-

diately after issuing the ballot to any voter, at the primary election held in August, 1936, and at every primary and general election held thereafter, to indicate at the place provided therefor on the registration record form that such person voted at such primary or election. The fact that any person is registered shall constitute prima facie evidence only of his right to vote and shall not prevent the officers of any primary or general election from refusing to issue him a ballot for causes and in the manner provided by the general election laws of this State.

§ 9. Not less than ten days prior to the primary election held on the first Saturday in August, 1936, the county court clerk of each county shall appoint a special deputy clerk for each precinct in his county, who shall serve for the day of such election only. At the time of delivering the ballots to the clerks of election for each precinct, the county court clerk shall also deliver to each election clerk two precinct registers containing, respectively, a supply of original "copy" registration record forms, serially numbered and equal in number to the total number of votes cast in that precinct at the general election held in November, 1935, such forms being securely locked in binders or containers provided therefor, before delivery by the county court clerk who shall take receipts therefor from the clerks of election. On the day of said primary election, each such deputy clerk so appointed shall be present at the opening of the polls in the precinct for which he is appointed, in the room in which such election is to be held, and the clerk of the election shall there deliver to such deputy clerk the original and the "copy" precinct registration forms received from the county court clerk. The sheriff of the election shall provide, at a convenient place within the voting place, a table and at least two chairs for the use of the deputy clerk and the persons being registered. The deputy clerk shall there register in the manner herein provided, every person who offers for registration during the hours in which

such election is held, and who has the legal right to vote or who will have the legal right to vote, in such precinct, at the next election to be held therein. Every person registering shall be required to sign his name, in his own hand except as hereinafter provided, upon both the original and the "copy" registration record forms, and shall be sworn to the affidavit of registration therein by the deputy clerk conducting the registration. The original registration record form shall be entirely filled out with the name and serial number of the person registering and all the information called for on said form, before the signature of the registrant is made thereon, but only the signature of the registrant and the certification of the deputy clerk to the affidavit of registration shall be made upon the "copy" registration record form. In the event any applicant for registration states that he cannot write his name, the deputy clerk, after swearing the applicant to such statement, shall sign both the original and "copy" registration record forms for him, and such person shall sign said records by making his mark thereon, attested by the deputy clerk.

If the deputy clerk be in doubt as to the right of any person to be registered, or if his right to registration be challenged by any officer of the election or by any challenger of a political party present, the applicant shall be sworn by the deputy clerk touching his right to be registered and may be interrogated thereon by the deputy clerk or any officer of the election; not more than two citizens may also be sworn and interrogated touching his right to registration. The judges of the election shall decide all questions relating to the qualifications of the applicant for registration, except that in case of a difference of opinion between the judges, the deputy clerk shall have the deciding vote. If any applicant whose right to be registered is challenged, is allowed to register, the word "questioned" shall be written by the deputy clerk opposite his signature on both the original and the "copy" registra-

tion record forms. At the close of the polls at said primary election, the deputy clerk shall endorse on reverse side of the last original and "copy" registration record forms signed by a registrant during such election, the notation "end of precinct registration", and such notation shall be signed by the deputy clerk and by both judges of the election. The election officers who return the ballot boxes to the county court clerk's office shall at the same time return said original and "copy" registration record forms to the county court clerk, and secure a receipt therefor; upon receipt of such registration record forms from the election officers, the county court clerk shall promptly copy into the "copy" registration record forms, in the corresponding blanks provided therefor, all information, data and remarks which appear on the original registration record forms relative to such voters.

Each deputy clerk conducting such precinct registration shall be paid as compensation for his services, the sum of three dollars, to be paid out of the county treasury.

§ 10. In case a registered voter changes his place of residence from one precinct to another in the same County, or whenever the boundaries of the precinct in which he is registered are changed by law so as to remove him from that precinct, he may appear before the county court clerk and, upon his making oath as to such removal and indicating the precinct into which he has moved or been transferred by such change of boundaries, the clerk shall, under the heading of "Remarks" on his original and "copy" registration record forms, write the words "Removed to ..... precinct" (filling in the name of the precinct to which he has so removed), and shall at the same time register such voter in the proper precinct. Such transfers shall be registered only on those days when registrations are provided for under Section 4 hereof.

§ 11. If any original or "copy" registration record form is lost or destroyed, or becomes so mutilated, blotted,

torn or defaced or otherwise in such condition as to render it difficult, troublesome or unsafe to use such record, it shall be the duty of the county court clerk to cause a new registration record form to be made and executed in such manner as may be necessary, consistently with the provisions of this act, the cost thereof to be paid out of the county treasury. If the re-registration of the voters of an entire precinct shall so become necessary, it shall be held in the precinct at the next ensuing primary or general election, in the same manner as the initial registration herein provided for. If such re-registration is made necessary by the loss or destruction of registration records through the negligence or willful misconduct of any person, such person shall be liable to the Commonwealth for the cost of such re-registration of any precinct, to be recovered in a civil action in the name of the Commonwealth of Kentucky.

§ 12. The following methods shall be used to purge the registration records and keep them corrected up to date:

(a) It shall be the duty of the Registrar of Vital Statistics for each county to furnish to the county court clerk of his county, at least once a month, an official and certified report containing the names and adrdesses of all persons whose death, occurring in said county during the month immediately preceding, has been reported to said registrar; likewise, it shall be the duty of each Circuit Court Clerk to furnish to the county court clerk, at least once a month, an official and certified report containing the names and addresses of all persons who have, during the month immediately preceding, been, by the circuit court of such county, adjudged insane or convicted of any offense which, under the laws of this State, operates as an exclusion from suffrage and the offense of which such persons have been convicted; likewise it shall be the duty of the County Court Clerk, at least once a month, to prepare a list of all persons whose names and addresses have been changed by marriage, as evidenced by the records of marriage certifi-

cates returned to his office by persons solemnizing such marriage. Immediately upon receipt of such lists of deaths, adjudications of insanity, convictions and changes of names by marriage, it shall be the duty of the Clerk to mail to every person whose name is included in any of such lists, at the address appearing on the registration record of such person in the office of the County Court Clerk, stating that the registration of such person will, unless protest is filed within five days from and including the date of such notice, be canceled, and the reason therefor. If no protest is filed within said time, the registration record of such person shall be canceled. If protest is filed within said time, the Clerk shall investigate the matter and shall not cancel such record until after the protestant has been given an opportunity to be heard.

(b) The failure of any person registered as herein provided to vote at any primary or general election for two consecutive years as shown by the voting record of such person on his registration record shall be prima facie evidence that such person is no longer entitled to registration. The County Court Clerk shall, in the month of January of each year, cause a check of all registrations to be made and a list prepared of all persons whose registration records indicate that such persons have failed to vote at any primary or general election for two consecutive years, and shall mail a notice to each of such persons on said list at the address of such person appearing on the registration record, stating that his registration will, unless protest is filed within five days from the date of such notice, be canceled, and the reason therefor. If protest is filed, said Clerk shall make an investigation, and shall not cancel said registration if the person is found to be legally entitled to registration. If no protest is filed within said time, his registration shall be canceled.

§ 13. When the county executive committee of any political party having representation on the State Board and County Board of Election Commissioners shall desire it, the

County Board of Election Commissioners shall appoint two officers for any precinct, whose duty it shall be to purge the registration list in that precinct, and these officers need not reside in the precinct. If the county committee of either of such political parties shall desire to have the registration purged in any precinct, such committee shall file a request in writing with the County Board of Election Commissioners not later than three weeks before the next ensuing primary or general election in any year; such request shall state the name and address of each voter whose name is challenged, and the ground upon which challenged. It shall be the duty of the County Board of Election Commissioners, within three days after the filing with them of such request, to appoint two purgation officers as aforesaid, one from each of the political parties having representation on the State Board and County Board of Election Commissioners, these appointments to be made from a list of names submitted to the County Board of Election Commissioners by the county executive committee of each of such political parties. The list of challenged voters shall be turned over to these two purgation officers, who shall be sworn faithfully to discharge their duties as such, and they shall meet in the precinct for which they are to act, at some place designated and provided by the sheriff. Said officers shall have the power to summons and swear witnesses, and shall conduct a hearing in the precinct at such time as they may fix; each voter who has been challenged shall, unless upon investigation the purgation officers shall agree that the challenge is unfounded and the voter lawfully registered, be notified of the time and place of the meeting at which the challenge against him will be heard, such notice to be in writing and served upon the challenged voter, either by delivering or offering to deliver a copy of said notice to him in person or, if said voter cannot be found at his place of residence shown on his registration record, by leaving a copy thereof with any person over the age of sixteen resid-

ing in the same family with said voter, or, if no such person be there, by affixing a copy of said notice to the front door of such place or residence. The person who serves such notice shall return a copy thereof to the purgation officers, with an endorsement thereon stating when and how it was served, and if a copy was not delivered to the person to whom it was directed, the endorsement must state the facts authorizing the manner of service adopted, if the person serving the notice be an officer, his endorsement must show his official position; if he be not an officer, he must make an affidavit that his endorsement is true, that he is over sixteen years of age, and that he is not a party to nor interested in the proceeding. Such an endorsement of an officer, or such an endorsement and affidavit of one who is not an officer, shall be proof of service.

After investigation and hearing such evidence as may be presented, the purgation officers shall determine whether the voter is properly and legally registered; such hearing shall be conducted in a summary manner and the officers, in their discretion, may reasonably limit the number of witnesses testifying for either party. If the purgation officers find that the challenged voter is not properly and legally registered, his registration shall thereupon be canceled by them. The failure of any voter against whom a notice of challenge has been served as provided herein to appear at such hearing shall be prima facie evidence that he is not entitled to registration, and his registration record shall be canceled. Appeals from the action of the purgation officers may be taken in the manner hereinafter provided. If they find that he is legally and properly registered, nothing further shall be done with his name. The County Court Clerk shall turn the "copy" registration record of the precinct over to such purgation officers when they are to hold their meetings, taking their receipt therefor, and upon the conclusion of their meetings, the purgation officers shall return such registration rec-

ord to the County Court Clerk and take his receipt therefor. In the event the purgation officers disagree as to whether the registration of any person should be canceled, they or either of them shall reduce to writing the facts as developed and certify such statement of facts to the County Court Clerk, who shall forthwith assign the case of each such voter challenged to the judge of the County Court, who shall promptly hear the case *de novo,* summarily decide question, and endorse on the statement an order disposing of the same, returning the statement with his endorsement thereon to the clerk. The clerk, upon receipt of such certification from such purgation officers, shall immediately issue a notice to the challenged voter to appear before the judge of the County Court not later than three days after the service of such notice, which notice shall be served by any officer authorized to serve subpoenas or by any person authorized by law to serve notices.

§ 14. When any person is aggrieved by any act of the purgation officers in respect to his registration, or when any person or executive committee that has challenged the registration of any voter is aggrieved by any act of the purgation officers in respect to the registration of such person, such person or such committee so aggrieved shall have the right to apply to the judge of the County Court, with a written statement of the act of the purgation officers and the grounds of his, or its complaint. Before such application is made, written notice shall have been given to the purgation officers setting out the time and place at which such application will be made, and the grounds therefor, so as to give the purgation officers a reasonable opportunity to be present at such time and place. The judge to whom such application is made shall at the time fixed in the notice, or a subsequent time appointed by the said judge, summarily decide the question presented and endorse on the statement of complaint an order disposing of the same. The action of said judge in such case shall be final, and upon return of the statement of complaint, with

the order of the judge disposing of same endorsed thereon, to the County Court Clerk, the clerk shall correct his record in accordance with such order.

§ 15. Any voter may, by giving five days' notice in writing, to any person whose name has been registered, move the county court to strike his name from the register, and both parties may introduce witnesses, not exceeding two in number on each side. Said notice must be served personally. If at the hearing the court shall be of the opinion that the person registered is not lawfully entitled to register, it shall direct the clerk to strike his name from the register, by inserting opposite to it the words, "Stricken off by order of the county court." If the person upon whom notice is attempted to be served cannot be found, the clerk shall write opposite such name on the registration book the word "doubtful" and when at an election such person whose name is marked "doubtful" shall offer to vote he shall be sworn, and his right to vote investigated fully.

§ 16. The Clerk shall preserve for a period of not less than two years all canceled registration records in a separate file and said records shall be filed and arranged in alphabetical order for the entire county according to the last name of the person registered thereon. Said file shall be designated the "Canceled Registration File". When the registration record is canceled, the original record and the copy thereof shall be marked in large letters in ink "Canceled", and there shall also be noted thereon in ink the date of and reason for such cancellation.

§ 17. Any county court clerk or deputy county court clerk who shall falsely or fraudulently register the name of any person, or permit any person to register, knowing that such person is not entitled to register, or who shall fraudulently alter, change, or make erasures in, or add names to any registration record or who shall register the name of any person at any other time or times, as fixed herein, or who

shall fail or refuse to deliver to the person entitled thereto, or to the proper election officers, copies of the registration, or the copy of the records to be used in such elections as they are required to be used for, shall be deemed guilty of a felony and, upon conviction, punished by confinement in the penitentiary for not less than one nor more than three years, and shall thereafter be disqualified from holding any elective or appointive office in this Commonwealth.

§ 18. Any person who knowingly or fraudulently, shall cause himself to be registered in more than one precinct, or in a precinct other than that in which he is a legal voter, or shall register under any name other than his real name, or who shall give a false address, or who in any manner or method shall cause himself to be registered when he is not legally entitled to register, or any person, or officer who knowingly or fraudulently shall in any way aid, abet, counsel or advise in the commission of any such act, or acts, shall be deemed guilty of a felony, and upon conviction shall be confined in the penitentiary for not less than one year nor more than three years and shall thereafter be disqualified from holding any appointive office in this Commonwealth.

§ 19. Any county court clerk or election officer, or other person who shall unlawfully alter or change any registration book, or fraudulently add any name thereto, or who shall willfully secrete, suppress, mutilate or destroy, or make, or use any false or fraudulent registration book, shall be deemed guilty of a felony, and shall be, upon conviction, confined in the penitentiary for not less than one nor more than three years and shall thereafter be disqualified from holding any appointive office in the Commonwealth.

§ 20. Any person who shall attempt to or forcibly prevent any person from registering, or shall in any way unlawfully interfere with any person registering, or shall prevent or interfere with a clerk in carrying out his duties with relation to the registration of voters, shall be deemed guilty

of a misdemeanor, and shall be fined not less than one hundred nor more than five hundred dollars, or imprisonment for not less than six months nor more than twelve months, or both, in the discretion of the court or the jury.

§ 21. The clerk of the county court shall permit any citizen to inspect at all reasonable hours, or to make copies of any registration book without any fee, and he shall also, upon request, furnish to any person, requesting same a copy or copies of the registration book, or books, for which he shall receive compensation as provided in the succeeding section.

§ 22. The clerk for his services in the carrying out of the provisions of this law shall be entitled to collect the following fees:

For original registration, except initial registration in the precincts, two cents for each person registered; for copying from the original registry into the "copy" book, or copying from the original for the use of any person, two cents per name, including data and remarks; for making copies of any registration books lost, mutilated or destroyed, two cents per name, data and remarks included; for preparing the lists of registered voters for use of election officers as required by Section 7 hereof, two cents for each five names listed; for all services with relation to the purging of the registration as hereinafter required, five cents for every name ordered stricken off, or canceled as provided in Section 12 hereof, all of which expenses and fees shall be paid by the county, except where the copying is done for an individual requestnig the copy.

§ 23. Whenever in this act a duty is imposed on the county clerk, it may be performed by any deputy county court clerk, who may be subject to all penalties provided herein against the county court clerk, and for the registration held at the primary election all penalties imposed upon the county clerk in the violation of this law, when such violations occur,

shall be imposed upon the deputy clerk, or the clerk of the election. All election officers shall be liable to the penalty provided in Sections 18 and 19 hereof, for any violation of law mentioned in such cases, and for any violation or refusal to permit the deputy county court clerk to enter and remain in the voting room, or for any interference of such officer in the performance of his duties under this law shall be punished as provided in Section 20 hereof.

Nothing in this law shall be construed to prevent any soldier, sailor, officer or employee of the United States Government, or officer or employee of the Commonwealth of Kentucky, or any person coming within the meaning of the word, "absent voter", from registering in the manner now or as may hereafter be provided by law.

§ 24. If any section, paragraph, clause or separable provision of this Act should be adjudged to be unconstitutional, such decision shall not affect, or render unconstitutional any other section, paragraph, clause or separable provision of the Act, it being the intention of the General Assembly in enacting this Act to enact each section, paragraph, clause and provision separately.

Chapter 64 of the Acts of the General Assembly, 1934 Session, as amended being Sections 1486b-1 to 1486b-27, both inclusive, of Carroll's Kentucky Statutes, 1930 Edition, are hereby repealed. All other laws and parts of laws relating to the registration of voters residing outside of the corporate limits of cities of the first class in conflict herewith are hereby repealed to the extent of such conflict.

Mr. Robinson offered the following amendments to said Substitute, viz.:

Amend Substitute for House Bill No. 71, as follows:

1. Amend Section 4, line 5, by striking out the word "first" and inserting the word "tenth" instead, and in line

5 strike out the word "first" and insert the word "tenth". Page 2.

2. Strike out Section 5 and insert Section 6, following line 28 on page 3.

3. Amend Section 6 as corrected of said Substitute by striking from Section 6 thereof, lines 11, 12, and 13, the following words, "as is now provided by law for the payment for any and all other blanks, forms and books furnished each county by the Commonwealth of Kentucky". Page 4.

And by striking from said Section 6 as corrected, lines 35 to 41 inclusive, the words "Affidavit of Registration I hereby swear (or affirm) that I am a citizen of the United States, that on the day of the next election I shall be at least twenty-one (21) years of age, and shall have resided in the State of Kentucky one (1) year, in the county of..... six (6) months and in the.....precinct sixty (60) days, and that I am legally qualified to vote."

And by striking from said Section 6 as corrected, line 44, the words "Subscribed and sworn to before me this..... day of.....," and substituting therefor the word "Attest:".

4. Amend Section 9 of said Substitute, line 3 by striking therefrom the word "a" and substituting therefor the word "two", and by striking from said line 3 the word "clerk" and substituting therefor the word "clerks", and by inserting in line 4 of said Section 9, after the word "only", the following words, "and who shall be appointed one from each of the two political parties having representation upon the State Board of Election Commissioners, these appointments to be made from a list of two or more names for each precinct submitted to the County court clerk by the County Executive Committee of each of such political parties, and who shall be sworn faithfully to perform their duties." Page 8.

5. And by striking from said Section 9, line 16, the word

"clerk" and by substituting therefor the word "clerks". Page 8.

6. And by striking from said Section 9, line 19, the word "two" and substituting therefor the word "three". Page 8.

7. And by striking from said Section 9, lines 27 and 28, the words "and shall be sworn to the affidavit of registration therein by the deputy clerk conducting the registration."

8. And by srtiking from said Section 9, line 32, the word "certification" and substituting therefor the word "attestation", and by striking from lines 32 and 33 thereof, the words "to the affidavit of registration". Page 9.

9. And by striking from said Section 9, line 43, the word "clerk" and substituting therefor the word "clerks". Page 9.

10. And by striking from said Section 9, line 48, the words "deputy clerk" and substituting therefor the words "clerk of the election". Page 9.

11. And by striking from said Section 9, line 53, the word "clerk" and substituting therefor the word "clerks". Page 9.

12. Amend Section 12 of said Substitute, lines 14, 15, 16, 17 and 18, by striking therefrom the words "likewise it shall be the duty of the County Court Clerk, at least once a month, to prepare a list of all persons whose names have been changed by marriage, as evidenced by the records of marriage certificates returned to his office by persons solemnizing marriage." And by inserting in line 19 of said Section 12, before the word "convictions", the word "and". Page 11.

And by striking from said Section 12, line 20, the words "and changes of names by marriage". Page 11.

And by adding to said Section 12, line 44, after the word "canceled", the words "and to vote thereafter he shall be required to register as if he had never registered". Page 12.

Said amendments were each and severally agreed to.

Mr. Robinson moved the Previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Said Substitute was then adopted, as amended.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Price Holbrook	Rodes K. Myers
W. T. Baker	Clyde S. Howard	J. C. Nickell
B. F. Bedford	Ira W. Hulette	Mel Petry
Douglas Bolling	John M. Hunnicut	A. W. Pfeiffer
Ollie J. Bowen	Ben W. Johnson	J. C. Ramey
Wallace Brown	O. C. Jones	Harry C. Records
Roscoe Claxon	R. T. Kirkman	L. K. Rice
George S. Clay	J. F. Ladd	Wade H. Riley
Roy Conway	M. T. McCarthy	Joe E. Robinson
Sam Dever	T. B. McConnell	John C. Robinson
Howard G. Early	J. L. McDermott	W. T. Rollo
Chas. P. Farnsley	W. F. McGary	A. W. Ross
T. P. Fitzpatrick	Elmer McGlothen	Carl Scheben
James Garnett, Jr.	John Marshall	Carl Schneider
Ferd A. Gnau	C. S. Matherly	Dr. B. F. Shields
Eugene Gough	Duke Mayfield	P. L. Sidebottom
Ben Grogan	W. E. Mull	W. R. Tapp
W. L. Hampton, Jr.	Tyler Munford	J. J. Thomas

S. J. Wagner	Henry Ward	W. G. Williams
Joseph L. Wall	L. R. Wells	—59

Those who voted in the negative were—

F. T. Allen	Garland Embry	W. H. Miller
C. W. Anderson, Jr.	Walter R. Fannin	Russell O'Neill
H. T. Baker	H. Myer Garner	Hobart Rayburn
G. M. Ballard	G. W. Garrett	Ray O. Shehan
Reuben J. Boling	Jas. T. Hamilton	Chester D. Silvers
Dr. R. A. Byers	C. L. Hammons	Bruce Sloan
Jas. C. Carter	Thomas W. Hines	H. C. Steely
V. O. Chandler	J. H. Jones	Henry Stewart
Floyd Clark	Leslie Larrimore	Dr. H. S. Swope
J. A. Coleman	Robert E. Lee	R. Van Bever, Jr.
Harry Davis	Lloyd MacDonald	Charles Wylie
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Mr. Myers moved that the title of said bill be amended so as to read at the end thereof "This Act to be known as the Reeves-Robinson Registration Law."

Said motion was agreed to.

Resolved that the title thereof be as amended.

Mr. Robinson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

By unanimous consent, the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 201. An Act to amend and re-enact Section 596, Kentucky Statutes, Carroll's Edition of 1930, to increase the surplus of banks, trust companies and combined banks and trust companies, organized under the laws of this State.

H. B. 202. An Act to amend and re-enact Section 577, Kentucky Statutes, Carroll's Edition, 1930, to increase the required capital of any new banks created under the laws of this state.

H. B. 228. An Act for the provision of one day rest out of seven days for regularly employed police officers in police departments of all cities within the Commonwealth under classification of 1st, 2nd and 3rd Class.

H. B. 78. An Act repealing and re-enacting Sections 1, 2, 4, 6 and 7 of Article IX, of the Acts of the General Assembly pertaining to the retirement of teachers from the Common Schools of this Commonwealth, etc.

H. B. 12. An Act relating to the government of cities of the Third Class.

With a Committee amendment thereto by way of substitute therefor.

S. Res. 15. Resolution for the relief of R. G. Holbrook, Sheriff of Owen County.

H. Res. 25. Resolution authorizing the personal representative of Sarah Marks and Gladys Madison and Daisy Carter to sue the Commonwealth.

H. Res. 29. A Joint Resolution authorizing Ben Wiley to sue the Commonwealth.

H. Res. 34. Resolution authorizing Ohio County to sue the State Highway Commission.

H. Res. 36. Resolution authorizing R. T. Humphries to file suit against the Commonwealth.

H. Res. 35. Resolution authorizing Andy Hunter to sue the Commonwealth.

H. Res. 31. Resolution authorizing Archie C. Miller to sue the Commonwealth.

H. B. 229. An Act to permit J. W. Beams to sue the Commonwealth.

H. Res. 33. Resolution authorizing William Cox to sue the Commonwealth.

H. Res. 11. Resolution appropriating the sum of Seventy-Five Dollars per month for the use of the widow and children of Powell Hayes, deceased.

H. Res. 10. Resolution appropriating the sum of Seventy-Five Dollars per month for the use of the widow and children of Holbert Rowland, deceased.

With a Committee amendment thereto.

H. B. 128. An Act amending and re-enacting Section 20, Chapter 3 of the Acts of 1916, known as the Workmen's Compensation Act, Etc.

H. B. 70. An Act repealing Section 4399-34, Carroll's Kentucky Statutes, Baldwin's Revised Edition of 1934, being Chapter 65, Article 5, Section 29, of the 1934 Acts of the General Assembly and providing for the election of the county school superintendent by popular vote.

With a Committee amendment thereto by way of substitute therefor.

H. B. 15. An Act amending Section 3545 of Carroll's

Kentucky Statutes, 1930 Edition, relating to cities of the fourth class by repealing and re-enacting said section in amended form, etc.

H. B. 6. An Act relating to the liability of cities and towns for damages resulting from accidents on streets, etc.

With a Committee amendment thereto by way of substitute therefor.

H. B. 317. An Act to repeal and re-enact Section 1243 of Carroll's Kentucky Statutes, 1930 Edition.

H. B. 206. An Act to amend and re-enact Section 3905 of the Kentucky Statutes, being part of Chapter 98 of the Kentucky Statutes, etc.

H. B. 190. An Act providing for the construction of a Court of Appeals building and the financing thereof.

H. B. 110. An Act to repeal and re-enact Chapter 142 of the Acts of the General Assembly of Kentucky, 1932, the same being Section 4151-2 of the 1932 Supplement to the 1930 Edition of Carroll's Kentucky Statutes, and relating to redemption of land sold for taxes, etc.

With a Committee amendment thereto.

H. B. 283. An Act fixing the license fees of operators of non-resident laundries doing business within the State of Kentucky and providing for the repeal of all laws inconsistent herewith.

H. B. 46. An Act to promote safe driving and to remove the reckless and financially irresponsible from the highway.

H. Res. 2. Resolution authorizing R. Young and Joseph Young to sue the Commonwealth of Kentucky.

H. Res. 7. Resolution authorizing Mrs. Joe A. Westerfield to sue the Commonwealth of Kentucky.

S. B. 60. An Act pertaining to cities of the second class.

H. Res. 30. Resolution authorizing and directing payment of the sum of $463.97 to Brown-Richardson & Company, representing the balance due for material furnished for the construction of an armory at Russellville, Kentucky.

H. B. 250. An Act to forbid operators of motor vehicles passing school busses or other passenger carrying motor vehicles which are stopped to take on or discharge school children, etc.

H. B. 62. An Act prohibiting the placing or throwing of glass, tacks, nails or other destructive substances upon the highways and providing penalties.

H. B. 303. An Act to repeal and re-enact Section 1550-17 of Carroll's Kentucky Statutes, 1933 Supplement, being Chapter 85 of the Acts of the General Assembly of 1932 and relating to ballots in primary elections.

H. B. 107. An Act to bar from the ballot any and all political parties advocating the overthrow of Government by force or violence.

H. B. 314. An Act to repeal and re-enact Section 1460 of Carroll's Kentucky Statutes, 1933 Supplement, being Chapter 82, paragraph 1, of the Acts of the General Assembly of 1932, relating to the form, arrangement and printing of ballots in general elections.

H. B. 204. An Act relating to the appointment of employees in all branches of State, County or City Governments, Etc.

S. B. 43. An Act to amend and re-enact Section 2740, Kentucky Statutes, 1930 Edition, Chapter 107, 1932 Acts, and Chapter 31, 1934 Acts, relating to classification of cities.

H. B. 223. An Act relating to the Primary System of Roads and Highways.

H. B. 224. An Act relating to the Primary System of Roads and Highways.

H. B. 225. An Act relating to the Primary System of Roads and Highways.

H. B. 230. An Act relating to the Primary System of Roads and Highways.

H. B. 235. An Act relating to the Primary System of Roads and Highways.

H. B. 240. An Act relating to the Primary System of Roads and Highways.

H. B. 241. An Act relating to the Primary System of Roads and Highways.

H. B. 242. An Act relating to the Primary System of Roads and Highways.

H. B. 243. An Act relating to the Primary System of Roads and Highways.

H. B. 245. An Act relating to the Primary System of Roads and Highways.

H. B. 246. An Act relating to the Primary System of Roads and Highways.

H. B. 247. An Act relating to the Primary System of Roads and Highways.

H. B. 248. An Act relating to the Primary System of Roads and Highways.

H. B. 249. An Act relating to the Primary System of Roads and Highways.

H. B. 251. An Act relating to the Primary System of Roads and Highways.

H. B. 255. An Act relating to the Primary System of Roads and Highways.

H. B. 257. An Act relating to the Primary System of Roads and Highways.

H. B. 258. An Act relating to the Primary System of Roads and Highways.

H. B. 259. An Act relating to the Primary System of Roads and Highways.

H. B. 260. An Act relating to the Primary System of Roads and Highways.

H. B. 261. An Act relating to the Primary System of Roads and Highways.

H. B. 264. An Act relating to the Primary System of Roads and Highways.

H. B. 265. An Act relating to the Primary System of Roads and Highways.

H. B. 266. An Act relating to the Primary System of Roads and Highways.

H. B. 267. An Act relating to the Primary System of Roads and Highways.

H. B. 268. An Act relating to the Primary System of Roads and Highways.

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H. B. 270. An Act relating to the Primary System of Roads and Highways.

H. B. 271. An Act relating to the Primary System of Roads and Highways.

H. B. 272. An Act relating to the Primary System of Roads and Highways.

H. B. 277. An Act relating to the Primary System of Roads and Highways.

H. B. 278. An Act relating to the Primary System of Roads and Highways.

H. B. 280. An Act relating to the Primary System of Roads and Highways.

H. B. 284. An Act relating to the Primary System of Roads and Highways.

H. B. 285. An Act relating to the Primary System of Roads and Highways.

H. B. 287. An Act relating to the Primary System of Roads and Highways.

H. B. 288. An Act relating to the Primary System of Roads and Highways.

H. B. 289. An Act relating to the Primary System of Roads and Highways.

H. B. 291. An Act relating to the Primary System of Roads and Highways.

H. B. 292. An Act relating to the Primary System of Roads and Highways.

H. B. 293. An Act relating to the Primary System of Roads and Highways.

H. B. 295. An Act relating to the Primary System of Roads and Highways.

H. B. 296. An Act relating to the Primary System of Roads and Highways.

H. B. 297. An Act relating to the Primary System of Roads and Highways.

H. B. 298. An Act relating to the Primary System of Roads and Highways.

H. B. 309. An Act relating to the Primary System of Roads and Highways.

H. B. 310. An Act relating to the Primary System of Roads and Highways.

H. B. 311. An Act relating to the Primary System of Roads and Highways.

H. B. 312. An Act relating to the Primary System of Roads and Highways.

H. B. 318. An Act relating to the Primary System of Roads and Highways.

H. B. 322. An Act relating to the Primary System of Roads and Highways.

H. B. 323. An Act relating to the Primary System of Roads and Highways.

H. B. 324. An Act relating to the Primary System of Roads and Highways.

H. B. 326. An Act relating to the Primary System of Roads and Highways.

H. B. 327. An Act relating to the Primary System of Roads and Highways.

H. B. 328. An Act relating to the Primary System of Roads and Highways.

H. B. 329. An Act relating to the Primary System of Roads and Highways.

H. B. 330. An Act relating to the Primary System of Roads and Highways.

H. B. 332. An Act relating to the Primary System of Roads and Highways.

H. B. 333. An Act relating to the Primary System of Roads and Highways.

H. B. 334. An Act relating to the Primary System of Roads and Highways.

H. B. 342. An Act relating to the Primary System of Roads and Highways.

H. B. 343. An Act relating to the Primary System of Roads and Highways.

H. B. 340. An Act relating to the Primary System of Roads and Highways.

H. B. 341. An Act relating to the Primary System of Roads and Highways.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Mr. Steely offered the following resolution, viz.:

Resolution for the purpose of setting the House Clock to coincide with Central Standard Time.

Whereas, The General Assembly is governed by the House Clock, as to the time of its meetings, adjournments, etc., and

Whereas, Said clock has been approximately fifteen minutes slow throughout the present session: Therefore,

Be it Resolved, That the House authorize and instruct the Clerk, Sergeant-at-Arms or such other person as is the proper person to set said House Clock up to coincide with Central Standard Time and keep it that way.

Said resolution was adopted.

Mr. Bedford moved that the Rules of this House be suspended and that the House take up for immediate consideration from the Orders of the Day, a bill entitled:

H. B. 109. An Act for the protection of fur-bearing animals, amending and re-enacting Chapter 56 of the Acts of the General Assembly of 1930.

With a Committee amendment thereto.

Said motion was agreed to.

Thereupon the House took up for consideration said bill.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 56 of the Acts of the General Assembly of 1930, being Section 1954b-11, Kentucky Statutes, Carroll's 1932 Supplement, be amended and re-enacted, and when so amended and re-enacted shall read as follows, to wit:

No person shall take, trap, shoot or kill any beaver, mink, raccoon, otter, opossum, skunk or muskrat in the State of Kentucky from the first day of February to the fourteenth day of November, both days inclusive. And no person shall take, trap, shoot or kill any fox in the State of Kentucky from the first day of January to the fourteenth day of November, both

days inclusive, of any year, provided, however, that when any of the animals mentioned in this section are found injuring, or doing damage to or destroying any property, the person whose property is being damaged, injured or destroyed, may at any time kill them on his own premises when necessary for the protection of his property.

Any person violating this section or any portion thereof, shall upon convivtion be guilty of a misdemeanor, and shall be punished by a fine of not less than five dollars ($5.00) nor more than twenty-five dollars ($25.00) for each offense, to which may be added imprisonment in county jail not exceeding thirty days.

Said amendment as offered by the Committee is as follows, viz.:

Amend H. B. 109, line 7, page 1 of printed bill, by striking out the word "fourteenth" and inserting in lieu thereof the following: "thirtieth".

Said amendment was agreed to.

Mr. Rayburn offered the following amendment to said bill, viz.:

Amend H. B. 109, page 1 of the printed copy, by striking from line 9 the word "fourteenth" and insert in lieu thereof the word "thirtieth".

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being

engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Jas. T. Hamilton	Mel Petry
G. M. Ballard	C. L. Hammons	A. W. Pfeiffer
B. F. Bedford	Thomas W. Hines	J. C. Ramey
Douglas Bolling	Clyde S. Howard	Hobart Rayburn
Ollie J. Bowen	Ira W. Hulette	Harry C. Records
Wallace Brown	John M. Hunnicut	L. K. Rice
Jas. C. Carter	Ben W. Johnson	Joe E. Robinson
V. O. Chandler	J. H. Jones	John C. Robinson
Floyd Clark	O. C. Jones	W. T. Rollo
Roscoe Claxon	R. T. Kirkman	A. W. Ross
George S. Clay	J. F. Ladd	Carl Scheben
J. A. Coleman	Leslie Larrimore	Carl Schneider
Herbert Cook	Robert E. Lee	Ray O. Shehan
Harry Davis	M. T. McCarthy	Dr. B. F. Shields
Sam Dever	T. B. McConnell	P. L. Sidebottom
Stanley S. Dickson	J. L. McDermott	Chester D. Silvers
George W. Dunlap	Lloyd MacDonald	Bruce Sloan
Howard G. Early	W. F. McGary	H. C. Steely
Garland Embry	Elmer McGlothen	Dr. H. S. Swope
Walter R. Fannin	John Marshall	W. R. Tapp
Chas. P. Farnsley	C. S. Matherly	J. J. Thomas
T. P. Fitzpatrick	Duke Mayfield	R. Van Bever, Jr.
H. Myer Garner	G. S. Milam	S. J. Wagner
G. W. Garrett	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
Ferd A. Gnau	W. E. Mull	L. R. Wells
Eugene Gough	Tyler Munford	W. G. Williams
Ben Grogan	J. C. Nickell	Charles Wylie

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Those who voted in the negative were—

Dr. R. A. Byers	Russell O'Neill	Henry Stewart
Roy Conway		

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Resolved that the title thereof be as aforesaid.

Mr. Bedford moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Miller moved that the House do now adjourn.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Shields and Grogan, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Howard G. Early	W. H. Miller
H. T. Baker	Walter R. Fannin	Tyler Munford
G. M. Ballard	Chas. P. Farnsley	Hobart Rayburn
Reuben J. Boling	H. Myer Garner	Ray O. Shehan
Douglas Bolling	Ferd A. Gnau	W. R. Tapp
Jas. C. Carter	C. L. Hammons	R. Van Bever, Jr.
V. O. Chandler	Ira W. Hulette	Joseph L. Wall
Floyd Clark	Leslie Larrimore	
Herbert Cook	G. S. Milam	—25

Those who voted in the negative were—

C. W. Anderson, Jr.	Stanley S. Dickson	Price Holbrook
W. T. Baker	George W. Dunlap	Clyde S. Howard
B. F. Bedford	Garland Embry	John M. Hunnicut
Ollie J. Bowen	T. P. Fitzpatrick	Ben W. Johnson
Dr. R. A. Byers	G. W. Garrett	J. H. Jones
Roscoe Claxon	James Garnett, Jr.	O. C. Jones
George S. Clay	Eugene Gough	R. T. Kirkman
J. A. Coleman	Ben Grogan	J. F. Ladd
Roy Conway	Jas. T. Hamilton	Robert E. Lee
Harry Davis	W. L. Hampton, Jr.	M. T. McCarthy
Sam Dever	Thomas W. Hines	T. B. McConnell

J. L. McDermott	Mel Petry	P. L. Sidebottom
Lloyd MacDonald	A. W. Pfeiffer	Chester D. Silvers
W. F. McGary	J. C. Ramey	H. C. Steely
Elmer McGlothen	Harry C. Records	Henry Stewart
John Marshall	L. K. Rice	Dr. H. S. Swope
C. S. Matherly	Wade H. Riley	J. J. Thomas
Duke Mayfield	Joe E. Robinson	S. J. Wagner
John B. Mollett	John C. Robinson	Henry Ward
W. E. Mull	W. T. Rollo	L. R. Wells
Rodes K. Myers	Carl Scheben	W. G. Williams
J. C. Nickell	Carl Schneider	Charles Wylie
Russell O'Neill	Dr. B. F. Shields	—68

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 175. An Act to repeal, amend and re-enact Section 1529, Carroll's Kentucky Statutes, 1930 Edition, relating to filling of vacancies in the office of County Judge and declaring an emergency.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1529, Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby repealed, amended and re-enacted so that when same is amended and re-enacted, it will read as follows:

§ 2. When a vacancy shall occur in the office of county judge, it shall be the duty of the clerk of the county court of said county to immediately notify the Governor of the Commonwealth of Kentucky of such vacancy and the Governor of the said Commonwealth shall proceed to fill said vacancy for the period of time as prescribed under Section 152 of the Constitution of Kentucky and to the person who is appointed, the Governor shall issue his commission as required by law.

§ 3. Whereas, There is now a serious question under the

existing laws as to the appointment of county judges and as to who has the authority to make said appointments, and whereas, there is now vacancies in the office of county judges in this Commonwealth and the appointments attempting to be made are questionable, and whereas, there will continue to be vacancies in said offices at various times and the uncertainty of the manner in which said vacancies and appointments should be made is of great importance to the people of this state; there is hereby declared an emergency to exist, and this Act shall become effective immediately upon its passage and approval by the Governor.

§ 4. All laws or parts of laws in conflict herewith are hereby repealed and Section 1529, Carroll's Kentucky Statutes, 1930 Edition, is hereby expressly repealed.

Mr. Hammons offered the following amendment to said bill, viz.:

Amend H. B. 175 by adding Section thereto to read as follows: "That the Governor shall appoint a person who is of the same party affiliation as the person who vacated the office by death or other causes."

Mr. Miller moved that said amendment be laid on the table.

Said motion was disagreed to.

Said amendment was then disagreed to.

Dr. Shields moved the previous question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Mr. Boling moved that said bill be laid on the Clerk's desk.

Said motion was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Price Holbrook	A. W. Pfeiffer
W. T. Baker	Clyde S. Howard	J. C. Ramey
B. F. Bedford	Ira W. Hulette	Harry C. Records
Douglas Bolling	Ben W. Johnson	L. K. Rice
Ollie J. Bowen	O. C. Jones	Wade H. Riley
Wallace Brown	R. T. Kirkman	Joe E. Robinson
Floyd Clark	J. F. Ladd	John C. Robinson
Roscoe Claxon	M. T. McCarthy	Carl Scheben
George S. Clay	T. B. McConnell	Carl Schneider
Roy Conway	J. L. McDermott	Dr. B. F. Shields
Herbert Cook	W. F. McGary	P. L. Sidebottom
Sam Dever	Elmer McGlothen	W. R. Tapp
Stanley S. Dickson	John Marshall	J. J. Thomas
George W. Dunlap	C. S. Matherly	S. J. Wagner
Howard G. Early	Duke Mayfield	Henry Ward
T. P. Fitzpatrick	W. E. Mull	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	
W. L. Hampton, Jr.	Mel Petry	—55

Those who voted in the negative were—

C. W. Anderson, Jr.	H. T. Baker	G. M. Ballard

Reuben J. Boling	Jas. T. Hamilton	Hobart Rayburn
Dr. R. A. Byers	C. L. Hammons	W. T. Rollo
Jas. C. Carter	Thomas W. Hines	Ray O. Shehan
V. O. Chandler	J. H. Jones	Chester D. Silvers
J. A. Coleman	Leslie Larrimore	H. C. Steely
Harry Davis	Robert E. Lee	Henry Stewart
Garland Embry	Lloyd MacDonald	Dr. H. S. Swope
Walter R. Fannin	W. H. Miller	R. Van Bever, Jr.
Chas. P. Farnsley	John B. Mollett	L. R. Wells
H. Myer Garner	Tyler Munford	
G. W. Garrett	Russell O'Neill	—34

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 1. An Act to repeal, amend and re-enact Subsection 2, Chapter 28, of the Acts of 1918, being Section 2223b-2, Kentucky Statutes, Carroll's Edition, 1930, relating to the organization of loan and investment companies.

Mr. Gnau moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 60. An Act to repeal, amend and re-enact Section 2087 of Carroll's Revised Statutes of Kentucky, 1930 Edition, relating to heirs and devisees.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2087 of the Carroll's Revised Statutes of Kentucky, 1930 Edition, be and the same is hereby repealed, amended and re-enacted so when re-enacted, it will read as follows:

When the heir or devisee shall alien, before suit brought, the estate deceased or revised, he shall be liable for the value thereof, with legal interest from the time of alienation, to the creditors of the descendant or testator; but the estate so alienated shall not be liable to the creditors in the hands of a bona fide purchaser for valuable consideration, unless action is instituted within twelve months after the estate is devised or descended to subject the same.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wallace Brown	Herbert Cook
C. W. Anderson, Jr.	Dr. R. A. Byers	Harry Davis
H. T. Baker	Jas. C. Carter	Sam Dever
W. T. Baker	V. O. Chandler	Stanley S. Dickson
G. M. Ballard	Roscoe Claxton	George W. Dunlap
Reuben J. Boling	George S. Clay	Howard G. Early
Douglas Bolling	J. A. Coleman	Garland Embry
Ollie J. Bowen	Roy Conway	Walter R. Fannin

Chas. P. Farnsley	Leslie Larrimore	L. K. Rice
T. P. Fitzpatrick	Robert E. Lee	Wade H. Riley
H. Myer Garner	T. B. McConnell	Joe E. Robinson
G. W. Garrett	J. L. McDermott	John C. Robinson
James Garnett, Jr.	Lloyd MacDonald	W. T. Rollo
Ferd A. Gnau	W. F. McGary	Carl Scheben
Eugene Gough	Elmer McGlothen	Carl Schneider
Ben Grogan	C. S. Matherly	Ray O. Shehan
Jas. T. Hamilton	Duke Mayfield	Dr. B. F. Shields
C. L. Hammons	G. S. Milam	P. L. Sidebottom
W. L. Hampton, Jr.	John B. Mollett	Chester D. Silvers
Thomas W. Hines	W. E. Mull	H. C. Steely
Price Holbrook	Tyler Munford	Henry Stewart
Clyde S. Howard	Rodes K. Myers	Dr. H. S. Swope
Ira W. Hulette	J. C. Nickell	W. R. Tapp
Ben W. Johnson	Russell O'Neill	J. J. Thomas
J. H. Jones	Mel Petry	R. Van Bever, Jr.
C. C. Jones	A. W. Pfeiffer	S. J. Wagner
R. T. Kirkman	J. C. Ramey	Joseph L. Wall
J. F. Ladd	Hobart Rayburn	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Mr. Joe Robinson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Dr. Shields moved that a bill entitled:

S. B. 1. (For title see House Journal of today, ante.)

Which was laid on the Clerk's desk,

Be made a Special Order of the Day for tomorrow at one o'clock P. M.

Said motion was agreed to.

Mr. Hammons moved that the Rules of this House be suspended and that the House take up for immediate consideration from the Orders of the Day, a bill entitled:

H. B. 101. An Act amending and re-enacting Section 2132, Carroll's Kentucky Statutes, 1930 Edition, pertaining to surviving husband's and wife's interest in real and personal property.

Said motion was agreed to.

Mr. Myers moved that said bill be made a Special Order of the Day, for tomorrow at two o'clock P. M.

Said motion was agreed to.

Mr. Conway moved that the Rules of this House be suspended, and that a bill entitled:

H. B. 75. An Act to amend and re-enact Section 6, Chapter 157 of the Acts of the General Assembly 1893, Carroll's Kentucky Statutes, 1930 Edition, relating to the appointment of deputy sheriffs by adding thereto provisions prohibiting compensation of sheriffs and deputy sheriffs by private persons, etc.

Be made a Special Order of the Day for eleven o'clock A. M. tomorrow.

Said motion was agreed to.

Mr. Dickson of the Committee on Enrollment reported that they had examined and found to be correctly enrolled a resolution entitled:

H. Res. 45. Resolution designating Highway 27 as the Foust Highway.

Thereupon all other business was suspended, said resolution was read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker, in open session and in the presence of the House affixed his signature thereto.

Ordered that the Enrolling Clerk deliver said resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said resolution, duly signed by the President of the Senate, into the possession of the Chief Clerk of the House.

Ordered that the Chief Clerk deliver said resolution to the Governor.

After a time the Chief Clerk aforesaid, reported that he had discharged that duty.

The Speaker announced the Rules Committee as follows:

Dr. Shields, Chairman; Stanley Dickson, George Dunlap, Clarence Evans, J. A. Coleman, Douglas T. Bolling, W. R. Tapp, Marion T. McCarthy, Ben Grogan, Henry Ward, Rodes K. Myers, Thos. Fitzpatrick, Ollie Bowen, John Robinson, Chester Silvers, Harry Davis, Charles Wylie, T. B. McConnell, W. L. Hampton, Ben Johnson, A. W. Pfeiffer, Paul Sidebottom, Ira W. Hulette, Wallace Brown, George Clay, Bruce Sloan, Carl Scheben.

Dr. Shields moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, JANUARY 29, 1936.

The House was opened with prayer by The Reverend Ross E. Dillon of the First Baptist Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

Henry H. Allen
F. T. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
G. M. Ballard
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxton
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
Chas. P. Farnsley
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
James Garnett, Jr.
Ferd A. Gnau
Eugene Gough
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
C. S. Matherly
Duke Mayfield
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall

Henry Ward W. G. Williams Charles Wylie
L. R. Wells

Mr. Davis moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Scheben moved that Master Joseph Sheben be appointed an Honorary Page of this House.

Said motion was agreed to.

Mr. Milam moved that the privilege of the floor be extended to Judge J. T. Linton of Logan County and Mr. Walter B. Smith of Pineville, Kentucky.

Said motion was agreed to.

Mr. Dunlap moved that the privilege of the floor be extended to Mr. Joe Crenshaw of Scott County.

Said motion was agreed to.

Mr. McDermott moved that the privilege of the floor be extended to Messrs. George Schiffer, James Gunning, Gene Ware and William Ammerman.

Said motion was agreed to.

The hour of eleven o'clock A. M. having arrived, that being the hour for the Special Order of the Day, to wit: a bill entitled:

H. B. 75. An Act to amend and re-enact section six, chapter one hundred fifty-seven of the Acts of the General Assembly, one thousand eight hundred and ninety-three

(Carroll's Kentucky Statutes, 1930 Edition, Section four thousand five hundred sixty), relating to the appointment of deputy sheriffs by adding thereto provisions prohibiting compensation of sheriffs and deputy sheriffs by private persons, firms or corporations, providing for the removal of sheriffs and deputy sheriffs so privately compensated, and providing penalties for the violation thereof.

With a Committee substitute thereto.

The House took up for consideration said bill.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section six, Chapter one hundred fifty-seven of the Acts of the General Assembly, one thousand eight hundred ninety-three (Carroll's Kentucky Statutes, 1930 Edition, Section four thousand five hundred sixty), be, and it is hereby amended and re-enacted so that said Section as amended and re-enacted shall read as follows:

"Section 4560. Deputies; appointment and removal; oath; prohibition of private compensation; penalties.

(1) Every sheriff may, by and with the approval of the county court, appoint his own deputies, and may revoke the appointment at his pleasure. Before any deputy shall proceed to execute the duties of his office, he shall take the oath required to be taken by the sheriff. Any default or misfeasance in office of the deputy shall constitute a breach of the conditions of the official bond of his principal, and the sheriff shall be responsible in damages upon his official bond for any such default or misfeasance of any deputy, whether occurring while the deputy is acting under color of his office or otherwise.

(2) No sheriff or deputy sheriff shall receive any compensation or remuneration directly or indirectly from any

person, firm or corporation for the performance of any service or duty, either private or public. The sheriff and his deputies shall receive for the performance of their public services and duties only such compensation or remuneration as may be regularly provided and paid out of public funds to the amount and in the manner provided by law. Any donation made by any person, firm or corporation to any government unit or officer thereof shall not constitute public funds within the meaning of this paragraph.

(3) No sheriff shall appoint or continue the appointment of any deputy contrary to the provisions hereof. Any sheriff or deputy sheriff who shall violate any of the provisions of this Section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five hundred dollars nor more than five thousand dollars, or confined in jail not to exceed one year, or both in the discretion of the Court; and upon any such conviction, his office shall ipso facto become vacant.

(4) Circuit courts shall have jurisdiction to hear and determine all matters arising under this Section, upon the filing of a petition by the prosecuting attorney, the attorney-general, or any three or more citizens of the county. Whenever it shall appear upon final hearing upon any such petition that the sheriff or any of his deputies are receiving their compensation, or any part thereof, from private sources in violation of the provisions hereof, the court, upon ascertaining such fact, shall enter an order forthwith removing from office any such sheriff or deputy sheriff so found to be receiving compensation from private sources, as aforesaid. In any proceeding under this Section a copy of the petition shall be served upon the person complained against, who shall have ten days within which to answer the allegations thereof. Thereafter such proceeding shall be heard and determined by the court either in term or in vacation, according to the ordinary rules governing proceedings in equity; provided,

that in every case the court, or the judge thereof in vacation, shall render a final decision therein within sixty days from the date of the filing of the petition. Any such proceeding may be instituted and prosecuted either in the circuit court of the county for which such sheriff or deputy sheriff is elected or appointed or in the circuit court of Franklin County.

(5) Any person who shall, directly or indirectly, pay or contribute, or cause to be paid or contributed, any money or other thing of value to any sheriff or deputy sheriff, either as a gift or donation, or for the performance of any public or private duty, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five hundred dollars nor more than five thousand dollars.

(6) The provisions of this Section shall be applicable to all deputy sheriffs for whatever purpose they may be appointed, whether regular or special deputies, or otherwise.

In case any part, sub-section, clause, sentence, phrase or application of this Act shall be for any reason, declared unconstitutional by a court of competent jurisdiction, such decision shall not affect the remaining portion of this Act, which shall remain in force as if such Act had been passed without the unconstitutional part, sub-section, clause, sentence, phrase or application having been incorporated herein, it being the legislative intent that this Act would have been passed in the language remaining after the elimination of so much hereof as may be declared unconstitutional.

All laws or parts of laws in conflict or inconsistent with the provisions of this Act are hereby repealed.

Said Substitute is as follows, viz.:

H. B. 75. An Act prohibiting compensation of sheriffs, deputy sheriffs, constables, deputy constables, patrols and other peace officers and deputy peace officers by private persons, firms or corporations; providing for the removal of

such officers so privately compensated, and for the removal of sheriffs, constables and peace officers for neglect of duty in failing to remove deputies so privately compensated; and providing penalties for the violation of this act.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. No sheriff, deputy sheriff, constable, deputy constable, patrol, or other peace officer or deputy peace officer shall receive any compensation or remuneration, directly or indirectly, from any person, firm or corporation, for the performance of any service or duty. Any sheriff, deputy sheriff, constable, deputy constable, patrol, or other peace officer, or deputy peace officer who shall receive any compensation or remuneration directly or indirectly from any person, firm or corporation for the performance of any servive or duty shall be subject to removal from office, under the provisions of this act, insofar as the same may be done in conformity to the provisions of section two hundred twenty-seven of the constitution of this state.

The officers and deputies named in this section shall receive for the performance of their services and duties only such compensation or remuneration as may be regularly provided and paid out of public funds to the amount and in the manner provided by law. Any donation made by any person, firm or corporation to any governmental unit or officer thereof shall not constitute public funds within the meaning of this section.

§ 2. No sheriff, deputy sheriff, constable, deputy constable, patrol or other peace officer, or deputy peace officer, shall, while in office, act in any private employment as guard or watchman or in any other similar private employment.

§ 3. No sheriff, constable or other peace officer shall appoint or continue the appointment of any deputy contrary to the provisions of this act. Whenever it shall be made to appear by the affidavit of two citizens, taxpayers of the

county, filed with any such sheriff, constable or other peace officer, that there is reasonable cause to believe that any of their deputies is, or are, receiving compensation from a private source or sources contrary to the provisions of this act, it shall be the duty of such sheriff, constable or other peace officer forthwith to investigate the charges contained in such affidavit, and upon finding such charges to be true, it shall be the duty of such sheriff, constable or other peace officer forthwith to remove any such deputy from office, and failure so to do shall constitute neglect of duty on the part of such sheriff, constable or other peace officer, and such sheriff, constable or other peace officer shall thereupon be subject to removal from office under the provisions of this act.

§ 4. Circuit courts shall have jurisdiction to hear and determine all proceedings for the removal of officers and their deputies under the provisions of this act. All such proceedings shall be in equity, and the procedure shall be as follows: The commonwealth's attorney of the judicial district, the county attorney of the county in which such sheriff, deputy sheriff, constable, deputy constable, patrol or other peace officer or deputy peace officer shall be serving, the attorney general of the state, or any three or more citizens of said county may file a petition in equity setting up facts constituting a violation of the provisions of this act. A copy of such petition shall be served upon the person complained against who shall have ten days within which to answer the allegations thereof, if he shall desire to do so. Thereafter such proceedings shall be heard and determined by the court, either in term or in vacation, according to the ordinary rules governing proceedings in equity; provided that in every case the court or the judge thereof in vacation shall render a final judgment therein within sixty days from the date of the filing of the petition; provided further, that the court or judge hearing the case may for good cause shown extend the time for the final hearing thereof, but in no case beyond ninety

days from the date of the filing of the petition. Any such proceeding may be instituted and prosecuted either in the circuit court of the county in which such sheriff, deputy sheriff, constable, deputy constable, patrol or other peace officer or deputy peace officer is serving, or in the circuit court of Franklin County. Such proceeding, if instituted by the commonwealth's attorney, county attorney or attorney general of the state, shall be in the name of the commonwealth, and if instituted by three or more citizens of the county, as herein provided, shall be in the name of such citizens as plaintiffs. Whenever it shall appear upon final hearing upon any such petition that any such sheriff, constable or peace officer, is guilty of neglect of duty under the provisions of section three of this act, the court, upon ascertaining such fact, shall enter an order or judgment forthwith removing from office such sheriff, constable or peace officer. Whenever it shall appear upon final hearing upon any such petition that any such sheriff, constable or peace officer is receiving his compensation, or any part thereof, from private sources in violation of the provisions of section one hereof, or is acting in any private employment as guard or watchman or in any other similar private employment in violation of the provisions of section two hereof, then insofar as the same may be done in conformity to the provisions of section two hundred twenty-seven of the constitution of this state, the court, upon ascertaining such fact, shall enter an order forthwith removing such sheriff, constable or peace officer from office. Whenever it shall appear upon final hearing upon any such petition that any deputy sheriff, deputy constable, patrol or deputy peace officer is receiving his compensation or any part thereof from private sources in violation of the provisions of section one of this act, or is acting in any private employment as guard or watchman, or in any other similar private employment, in violation of section two of this act, the court, upon ascertaining such fact, shall enter an order forthwith

removing from office any such deputy sheriff, deputy constable, patrol, or deputy peace officer.

§ 5. The provisions of this act shall be applicable to all deputy sheriffs, deputy constables and deputy peace officers for whatever purpose they may be appointed, whether regular or special deputies or otherwise.

§ 6. In addition to the proceeding in equity for the removal from office provided by this act, any sheriff, deputy sheriff, constable, deputy constable, patrol or other peace officer or deputy peace officer who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five hundred dollars nor more than five thousand dollars, or confined in jail, not to exceed one year, or both, in the discretion of the jury.

§ 7. Any person, firm or corporation who shall directly or indirectly pay or contribute or cause to be paid or contributed any money or other thing of value to any sheriff, deputy sheriff, constable, deputy constable, patrol or other peace officer, or deputy peace officer, or to any governmental unit or officer thereof, either as a gift or donation or for the performance of any public duty or for the performance of private employment as guard or watchman or other similar private employment, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five hundred dollars nor more than five thousand dollars.

§ 8. In case any part, section, clause, sentence, phrase, word or application of this act shall be for any reason declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portion of this act, which shall remain in force as if such act had been passed without the unconstitutional or invalid part, section, clause, sentence, phrase, word or application having been incorporated herein; it being the legislative intent that this act would have been passed in the language remaining after the

elimination of so much hereof as may be declared unconstitutional or invalid.

§ 9. All laws or parts of laws in conflict or inconsistent with the provisions of this act are hereby repealed.

Mr. Conway moved that the Rules of this House be suspended and that the time for debate be limited to forty-five minutes for the proponents and forty-five minutes for the opponents of said bill.

Said motion was agreed to.

Mr. Hammons moved that said bill be laid on the table.

Said motion was disagreed to.

The yeas and nays being required thereon by Messers. Hammons and Scheben, were as follows, viz.:

Those who voted in the affirmative were—

Ollie J. Bowen	C. L. Hammons	Hobart Rayburn
Jas. C. Carter	J. H. Jones	Harry C. Records
V. O. Chandler	R. T. Kirkman	Wade H. Riley
Herbert Cook	J. F. Ladd	John C. Robinson
George W. Dunlap	W. F. McGary	Ray O. Shehan
Howard G. Early	John Marshall	Chester D. Silvers
Walter R. Fannin	C. S. Matherly	H. C. Steely
H. Myer Garner	W. H. Miller	Dr. H. S. Swope
G. W. Garrett	Rodes K. Myers	
Ben Grogan	J. C. Nickell	—28

Those who voted in the negative were—

F. T. Allen	Wallace Brown	Sam Dever
Henry H. Allen	Dr. R. A. Byers	Garland Embry
H. T. Baker	Roscoe Claxton	Chas. P. Farnsley
B. F. Bedford	J. A. Coleman	T. P. Fitzpatrick
Douglas Bolling	Roy Conway	James Garnett, Jr.

Ferd A. Gnau	Lloyd MacDonald	Carl Scheben
Eugene Gough	Duke Mayfield	Dr. B. F. Shields
Jas. T. Hamilton	G. S. Milam	P. L. Sidebottom
W. L. Hampton, Jr.	John B. Mollett	Bruce Sloan
Price Holbrook	W. E. Mull	Henry Stewart
Clyde S. Howard	Tyler Munford	W. R. Tapp
Ira W. Hulette	Russell O'Neill	J. J. Thomas
John M. Hunnicut	Mel Petry	R. Van Bever, Jr.
Ben W. Johnson	A. W. Pfeiffer	S. J. Wagner
Robert E. Lee	J. C. Ramey	Joseph L. Wall
M. T. McCarthy	L. K. Rice	L. R. Wells
T. B. McConnell	W. T. Rollo	W. G. Williams
J. L. McDermott	A. W. Ross	—53

Mr. Myers moved that said bill be recommitted to the Committee on Rules.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Myers and Nickell, were as follows, viz.:

Those who voted in the affirmative were—

B. F. Bedford	G. W. Garrett	John Marshall
Reuben J. Boling	Ben Grogan	C. S. Matherly
Douglas Bolling	C. L. Hammons	W. H. Miller
Ollie J. Bowen	Thomas W. Hines	Rodes K. Myers
Wallace Brown	Ira W. Hulette	J. C. Nickell
Jas. C. Carter	O. C. Jones	J. C. Ramey
V. O. Chandler	R. T. Kirkman	Hobart Rayburn
Roscoe Claxton	J. F. Ladd	Harry C. Records
George S. Clay	Leslie Larrimore	Wade H. Riley
Harry Davis	M. T. McCarthy	John C. Robinson
Stanley S. Dickson	T. B. McConnell	Carl Scheben
George W. Dunlap	J. L. McDermott	Ray O. Shehan
Howard G. Early	Lloyd MacDonald	Dr. B. F. Shields
Walter R. Fannin	W. F. McGary	P. L. Sidebottom
H. Myer Garner	Elmer McGlothen	Chester D. Silvers

H. C. Steely	J. J. Thomas	Charles Wylie
Dr. H. S. Swope	S. J. Wagner	—50

Those who voted in the negative were—

F. T. Allen	Ferd A. Gnau	Tyler Munford
Henry H. Allen	Eugene Gough	Russell O'Neill
C. W. Anderson, Jr.	Jas. T. Hamilton	Mel Petry
H. T. Baker	W. L. Hampton, Jr.	A. W. Pfeiffer
G. M. Ballard	Price Holbrook	L. K. Rice
Dr. R. A. Byers	Clyde S. Howard	W. T. Rollo
J. A. Coleman	John M. Hunnicut	A. W. Ross
Roy Conway	Ben W. Johnson	Bruce Sloan
Herbert Cook	J. H. Jones	Henry Stewart
Sam Dever	Robert E. Lee	R. Van Bever, Jr.
Garland Embry	Duke Mayfield	Joseph L. Wall
Chas. P. Farnsley	G. S. Milam	L. R. Wells
T. P. Fitzpatrick	John B. Mollett	W. G. Williams
James Garnett, Jr.	W. E. Mull	—41

The Speaker announced that all bills and resolutions introduced on yesterday, had been referred to the Committee on Rules.

Dr. Shields of the Committee on Rules, to which the same had been previously referred, reported bills of the following titles, viz.:

H. B. 168. An Act concerning railroads, regulating the operation of trains, engines, motors, locomotive cranes, etc.

H. B. 163. An Act relating to the printing by state contract of any or all textbooks for the eight grades of the public schools of Kentucky.

H. B. 337. An Act to prohibit marathons, danceathons, walkathons, etc,

H. B. 239. An Act providing that bridge tolls paid by sheriffs or other peace officers in the discharge of their duties in connection with any proceedings or litigation may be taxed as costs.

S. B. 71. An Act to make unlawful the fraudulent setting back or disconnecting of speedometers on motor vehicles for the purpose of affecting a sale of such vehicle.

H. B. 121. An Act relating to the employment of State prisoners; definition of terms used in this Act, etc.

H. Res. 38. Resolution of the House and Senate for the payment of certain witness fees named therein.

S. B. 79. An Act relating to real estate mortgages.

H. Res. 38. Resolution providing for payment of certain witness fees named therein.

H. B. 371. An Act to repeal, amend, and re-enact Chapter 7, Section 22 of the Acts of the General Assembly of 1912, being Section 1550-22 of Carroll's Kentucky Statutes, relating to appointment of officers in primary elections, etc.

H. B. 355. An Act relating to licensing of contracting and master journeymen and apprentice painters, etc.

H. B. 276. An Act relating to the settlement of decedents' estates, etc.

H. B. 189. An Act to subject to execution and garnishment salaries of State, County and Municipal employees.

S. B. 78. An Act prohibiting the sale or removal of standing timber.

S. Res. 10. Resolution memorializing Congress and expressing assent to provisions of Act approved June 28, 1925.

H. B. 352. An Act relating to the Primary System of Roads and Highways.

H. B. 353. An Act relating to the Primary System of Roads and Highways.

H. B. 354. An Act relating to the Primary System of Roads and Highways.

H. B. 355. An Act relating to the Primary System of Roads and Highways.

H. B. 356. An Act relating to the Primary System of Roads and Highways.

H. B. 357. An Act relating to the Primary System of Roads and Highways.

H. B. 358. An Act relating to the Primary System of Roads and Highways.

H. B. 360. An Act relating to the Primary System of Roads and Highways.

H. B. 361. An Act relating to the Primary System of Roads and Highways.

H. B. 362. An Act relating to the Primary System of Roads and Highways.

H. B. 363. An Act relating to the Primary System of Roads and Highways.

H. B. 364. An Act relating to the Primary System of Roads and Highways.

H. B. 381. An Act relating to the Primary System of Roads and Highways.

H. B. 382. An Act relating to the Primary System of Roads and Highways.

H. B. 383. An Act relating to the Primary System of Roads and Highways.

H. B. 384. An Act relating to the Primary System of Roads and Highways.

H. B. 385. An Act relating to the Primary System of Roads and Highways.

H. B. 386. An Act relating to the Primary System of Roads and Highways.

H. B. 387. An Act relating to the Primary System of Roads and Highways.

H. B. 388. An Act relating to the Primary System of Roads and Highways.

H. B. 389. An Act relating to the Primary System of Roads and Highways.

H. B. 390. An Act relating to the Primary System of Roads and Highways.

H. B. 391. An Act relating to the Primary System of Roads and Highways.

H. B. 392. An Act relating to the Primary System of Roads and Highways.

H. B. 393. An Act relating to the Primary System of Roads and Highways.

H. B. 394. An Act relating to the Primary System of Roads and Highways.

H. B. 395. An Act relating to the Primary System of Roads and Highways.

H. B. 396. An Act relating to the Primary System of Roads and Highways.

H. B. 397. An Act relating to the Primary System of Roads and Highways.

H. B. 398. An Act relating to the Primary System of Roads and Highways.

H. B. 399. An Act relating to the Primary System of Roads and Highways.

H. B. 400. An Act relating to the Primary System of Roads and Highways.

H. B. 401. An Act relating to the Primary System of Roads and Highways.

H. B. 408. An Act relating to the Primary System of Roads and Highways.

H. B. 409. An Act relating to the Primary System of Roads and Highways.

H. B. 416. An Act relating to the Primary System of Roads and Highways.

H. B. 417. An Act relating to the Primary System of Roads and Highways.

H. B. 418. An Act relating to the Primary System of Roads and Highways.

H. B. 419. An Act relating to the Primary System of Roads and Highways.

H. B. 420. An Act relating to the Primary System of Roads and Highways.

H. B. 421. An Act relating to the Primary System of Roads and Highways.

H. B. 422. An Act relating to the Primary System of Roads and Highways.

H. B. 423. An Act relating to the Primary System of Roads and Highways.

H. B. 429. An Act relating to the Primary System of Roads and Highways.

H. B. 430. An Act relating to the Primary System of Roads and Highways.

H. B. 431. An Act relating to the Primary System of Roads and Highways.

H. B. 432. An Act relating to the Primary System of Roads and Highways.

H. B. 433. An Act relating to the Primary System of Roads and Highways.

H. B. 434. An Act relating to the Primary System of Roads and Highways.

H. B. 438. An Act relating to the Primary System of Roads and Highways.

H. B. 455. An Act relating to the Primary System of Roads and Highways.

H. B. 456. An Act relating to the Primary System of Roads and Highways.

H. B. 457. An Act relating to the Primary System of Roads and Highways.

H. B. 458. An Act relating to the Primary System of Roads and Highways.

H. B. 459. An Act relating to the Primary System of Roads and Highways.

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H. B. 461. An Act relating to the Primary System of Roads and Highways.

H. B. 462. An Act relating to the Primary System of Roads and Highways.

H. B. 463. An Act relating to the Primary System of Roads and Highways.

H. B. 464. An Act relating to the Primary System of Roads and Highways.

H. B. 465. An Act relating to the Primary System of Roads and Highways.

H. B. 466. An Act relating to the Primary System of Roads and Highways.

H. B. 467. An Act relating to the Primary System of Roads and Highways.

H. B. 468. An Act relating to the Primary System of Roads and Highways.

H. B. 469. An Act relating to the Primary System of Roads and Highways.

H. B. 470. An Act relating to the Primary System of Roads and Highways.

H. B. 490. An Act relating to the Primary System of Roads and Highways.

H. B. 491. An Act relating to the Primary System of Roads and Highways.

H. B. 492. An Act relating to the Primary System of Roads and Highways.

H. B. 493. An Act relating to the Primary System of Roads and Highways.

H. B. 494. An Act relating to the Primary System of Roads and Highways.

H. B. 495. An Act relating to the Primary System of Roads and Highways.

H. B. 496. An Act relating to the Primary System of Roads and Highways.

H. B. 497. An Act relating to the Primary System of Roads and Highways.

H. B. 498. An Act relating to the Primary System of Roads and Highways.

H. B. 499. An Act relating to the Primary System of Roads and Highways.

S. B. 26. An Act relating to the Primary System of Roads and Highways.

S. B. 27. An Act relating to the Primary System of Roads and Highways.

S. B. 35. An Act relating to the Primary System of Roads and Highways.

S. B. 58. An Act relating to the Primary System of Roads and Highways.

S. B. 67. An Act relating to the Primary System of Roads and Highways.

S. B. 80. An Act relating to the Primary System of Roads and Highways.

S. B. 81. An Act relating to the Primary System of Roads and Highways.

S. B. 84. An Act relating to the Primary System of Roads and Highways.

S. B. 96. An Act relating to the Primary System of Roads and Highways.

S. B. 98. An Act relating to the Primary System of Roads and Highways.

S. B. 99. An Act relating to the Primary System of Roads and Highways.

S. B. 101. An Act relating to the Primary System of Roads and Highways.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

At the instance of the Committee on Rules the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 200. An Act appropriating $1,000 out of the general fund for the purpose of acquiring rights-of-way for an entrance to the Pine Mountain State Park, etc.

H. B. 205. An Act to authorize cities of the first class to construct law school buildings for municipal universities where the ground for such buildings has been conveyed to the city free of cost, etc.

H. B. 72. An Act to amend and re-enact Subsection 1 of an Act known as Chapter 64 of the Acts of 1894 entitled "An Act for the appointment of County Patrolmen."

H. B. 300. An Act to amend and re-enact Section 23 of Chapter 92 of the 1914 Acts of the General Assembly of Kentucky, same being Section 3490b-23 of Carroll's Kentucky Statutes, 1930 Edition.

H. B. 299. An Act to repeal and re-enact Section 3235d-46 of the Kentucky Statutes as shown by Baldwin's 1933 Supplement to Carroll's Kentucky Statutes, 1930 Edition.

H. B. 254. An Act to amend and re-enact Section 3235d d-49 of the 1933 Supplements for the 1930 Edition of Carroll's Kentucky Statutes, being Chapter 91, Section 34 of the Acts of 1930, pertaining to the abolition of the city manager form of government, etc.

S. Res. 6. Resolution authorizing R. Young and Joseph Young to sue the Commonwealth.

S. B. 39. An Act to repeal and re-enact Sections 1, 2, 4, 6 and 7 of Art. IX of the Acts of the General Assembly of 1934, pertaining to the retirement of teachers from the common schools of the state, etc.

S. B. 107. An Act to amend and re-enact Section 4527-44, Baldwin's Revision of Carroll's Kentucky Statutes, being Chapter 65, page 334, of the Acts of 1934, providing for Powers of Regents in governing teachers' colleges.

H. B. 184. An Act to regulate the practice of professional engineering; creating a State Board of Registration for Professional Engineers; etc.

H. B. 252. An Act for the conservation of natural gas and prevention of its waste.

With Committee amendment.

H. B. 256. An Act enabling cities of the 2, 3, 4, 5 and 6th classes to acquire, construct, operate and maintain natural or artificial gas plants, etc.

H. B. 39. An Act to amend and re-enact Sections 1, 2 and 19 of an Act entitled "An Act to authorize cities of the 2, 3, and 4th class to acquire waterworks and to issue bonds, therefor, etc.

H. B. 5. An Act to amend and re-enact Section 1 of Chapter 145 of the 1934 Acts of the General Assembly of Kentucky, creating a public service commission and providing for the regulation and control of utilities within the Commonwealth of Kentucky, etc.

H. B. 275. An Act amending Section 1599b-1 and 1599b-2, Kentucky Statutes, Carroll's 1930 Edition.

H. B. 321. An Act to create a Game and Fish Commission, to define its powers and duties, etc.

H. B. 4. An Act to promote the objects of the National Housing Act, etc.

H. B. 96. An Act to amend and re-enact Subdivision IIIb, Art. XII, revenue and taxation, of Chapter 108 Carroll's Kentucky Statutes, Official Edition as revised to 1930.

With Committee amendment thereto.

H. B. 68. An Act repealing Chapter 81 of the General Assembly of 1930 and Chapter 101 of the Acts of the General Assembly of 1934, defining passenger automobiles, etc.

With Committee amendment thereto by way of substitute therefor.

H. B. 124. An Act relating to the advancement of credit in the form of scrip for labor performed or to be performed.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Dr. Shields moved that the House do now recess until one o'clock P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of one o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 188. An Act to amend and re-enact sub-section 98a-2 and sub-section 98a-5 of Section 98 of Carroll's Kentucky Statutes, same being an Act of the Kentucky Legislature at its 1918 Session; and being Chapter 131 at page 559 of the Acts of said Legislature, regulating the qualifications and admission to practice law of applicants in the State of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That sub-section a-2 and sub-section a-5, of Section 98 of Carroll's Kentucky Statutes, same being sub-section a-2 and sub-section a-5 of the Acts of the General

Assembly of Kentucky, 1918, regulating and prescribing the rules for admission of applicants to practice law in the courts of the State of Kentucky, be amended and re-enacted so that said sub-sections shall read as follows:

98a-2: The Court of Appeals of Kentucky shall from time to time make and adopt such rules and regulations as the said Court may see proper, fixing the moral qualifications of applicants and standard of acquirements, academic, legal and official service to entitle them to admission to practice law in the courts of this Commonwealth. No applicant, however, shall be under the age of twenty-one years.

98a-5: Applicants who may appear before the board for license to practice law shall be examined as to their qualifications. All such examinations shall be in writing and be on such subjects as shall be prescribed by said Court of Appeals and the answers of the applicants to the questions propounded to them shall be graded by said board and no such applicant shall be granted a license unless he secures a general average of seventy-five (75) per cent. The board shall certify to the said court the name of each applicant who shall have passed the required examination before it. The said court shall enter licensing and admitting to practice as attorney and counselor-at-law in all courts of this State, each person who complies with the rules and regulations it shall adopt, which license, if procured by fraud may be revoked by the court at any time within two years from the date of its issuance. The applicant before beginning the practice of law shall take the oath as now required. However, any applicant who shall have been a teacher in the common schools of this State for at least four years, and shall possess the required moral qualification, and have served as county judge or circuit court clerk for at least one full term of four years in any one of the counties of this state, and shall have served one full term of two years as a member of the General Assembly of this State, and in addition, have a certificate of graduation from an accredited law college or accredited correspond-

ence law college showing two years study on a prescribed course of law, and shall file with the board of examiners of this State, certificates of the foregoing requirements, such applicant shall be deemed to have all the academic and legal requirements of this Act and shall be eligible to and shall upon his application accompanied by the foregoing, be admitted to examination before said board.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Grogan offered the following amendment to said bill, viz.:

Amend H. B. 188 by adding after the word "law" in line 34 of the printed bill "or shall have served as a banker for a period of twenty years in a banking institution in this State, and shall have served six years as Master Commissioner of any Circuit Court and shall the recommendation of the Commonwealth Attorney and Circuit Judge of his judicial district as to his qualifications."

By unanimous consent, said amendment was withdrawn.

Mr. Hammons offered the following amendment to said bill, viz.:

Amend H. B. 188 by striking lines 26, 27, 28, 29, 30 and all words to and including the word "the" in line 31 of Section 1, and insert in lieu thereof the following "Any person who has served as quarterly Court Clerk; County Judge, Circuit Court Clerk or a member of the General Assembly."

Said amendment was disagreed to.

Mr. Milam offered the following amendment to said bill, viz.:

Amend H. B. 188 by striking therefrom the following words on page 2, line 29 of the printed bill: "one full term of four years" and inserting the following in lieu thereof: "two full terms."

Said amendment was disagreed to.

Mr. Boling offered the following amendment to said bill, viz.:

Amend H. B. 188 by striking out all of the words beginning with the word "and" on page 2, line 29 of the printed bill, to and including the word "state" on page 2, line 30.

Said amendment was disagreed to.

Mr. Fransley moved the Previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	G. M. Ballard	Ollie J. Bowen
Henry H. Allen	B. F. Bedford	Wallace Brown
W. T. Baker	Douglas Bolling	Dr. R. A. Byers

Floyd Clark	Ira W. Hulette	J. C. Ramey
Roscoe Claxton	Ben W. Johnson	Harry C. Records
Herbert Cook	J. H. Jones	L. K. Rice
Sam Dever	O. C. Jones	Wade H. Riley
Stanley S. Dickson	R. T. Kirkman	Joe E. Robinson
George W. Dunlap	J. F. Ladd	W. T. Rollo
Howard G. Early	Leslie Larrimore	Carl Schneider
Chas. P. Farnsley	Robert E. Lee	Dr. B. F. Shields
T. P. Fitzpatrick	M. T. McCarthy	P. L. Sidebottom
G. W. Garrett	T. B. McConnell	Bruce Sloan
James Garnett, Jr.	J. L. McDermott	W. R. Tapp
Ferd A. Gnau	W. F. McGary	J. J. Thomas
Eugene Gough	Elmer McGlothen	S. J. Wagner
Ben Grogan	John Marshall	Joseph L. Wall
Jas. T. Hamilton	W. E. Mull	Henry Ward
W. L. Hampton, Jr.	Tyler Munford	L. R. Wells
Thomas W. Hines	J. C. Nickell	W. G. Williams
Price Holbrook	Mel Petry	
Clyde S. Howard	A. W. Pfeiffer	—64

Those who voted in the negative were—

C. W. Anderson, Jr.	Garland Embry	Ray O. Shehan
H. T. Baker	Walter R. Fannin	Chester D. Silvers
Reuben J. Boling	C. L. Hammons	H. C. Steely
Jas. C. Carter	W. H. Miller	Henry Stewart
V. O. Chandler	John B. Mollett	Dr. H. S. Swope
George S. Clay	Rodes K. Myers	R. Van Bever, Jr.
J. A. Coleman	Russell O'Neill	Charles Wylie
Roy Conway	Hobart Rayburn	
Harry Davis	A. W. Ross	—25

Mr. Hammons offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 188 "This Act shall be known as the McGlothen Act of 1936."

Said amendment was disagreed to.

Resolved that the title thereof be as aforesaid.

Mr. McGlothen moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The hour of one o'clock P. M. having arrived, that being the hour for the Special Order of the Day, to wit: a bill entitled:

S. B. 1 An Act to repeal, amend and re-enact subsection 2, Chapter 28, of the Acts of 1918, being Section 2223b-2, Kentucky Statutes, Carroll's Edition 1930, relating to the organization of loan and investment companies in cities of the first and second classes and extending the terms thereof to cities of the third class.

The House took up for consideration said bill.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2, of Chapter 28 of the Acts of 1918, being Section 2223b-2, Kentucky Statutes, Carroll's 1930 Edition, be and the same is hereby repealed and re-enacted so as to read as follows:

"Any number of persons not less than five may associate to establish a loan and investment company in cities of the first, second and third classes upon the terms and conditions and subject to the liabilities prescribed in this Act. The name of any corporation formed under this Act may contain the words "industrial bank," but said name shall not be that of any other existing corporation of this State, and it shall not be necessary for any corporation organized under the

provisions of this Act to use the word "incorporated" in addition to its corporate name, either in its place of business or on any printed or advertising matter. The capital stock of any such loan and investment company shall not be less than twenty-five thousand dollars ($25,000.00), fifty per cent (50%) of which shall be paid in cash before any such corporation shall be authorized to transact any business other than such as relates to its formation and organization, and the remainder of the capital stock shall be paid in in money within one year after the loan and investment company is authorized to commence business at such times and in such amounts as the directors may require."

§ 2. All laws and parts of laws in conflict herewith to the extent of such conflict are hereby repealed.

§ 3. On account of the demand for the services which can be rendered by such investment company in cities of the third class, an emergency is declared to exist and this Act shall take effect on and after its final passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ollie J. Bowen	Roscoe Claxton
H. T. Baker	Wallace Brown	George S. Clay
W. T. Baker	Dr. R. A. Byers	J. A. Coleman
B. F. Bedford	Jas. C. Carter	Roy Conway
Reuben J. Boling	V. O. Chandler	Herbert Cook
Douglas Bolling	Floyd Clark	Harry Davis

Sam Dever	R. T. Kirkman	Harry C. Records
Stanley S. Dickson	J. F. Ladd	L. K. Rice
George W. Dunlap	Leslie Larrimore	Wade H. Riley
Howard G. Early	Robert E. Lee	Joe E. Robinson
Garland Embry	M. T. McCarthy	W. T. Rollo
Walter R. Fannin	T. B. McConnell	A. W. Ross
Chas. P. Farnsley	J. L. McDermott	Carl Schneider
T. P. Fitzpatrick	Lloyd MacDonald	Ray O. Shehan
H. Myer Garner	W. F. McGary	P. L. Sidebottom
G. W. Garrett	Elmer McGlothen	Chester D. Silvers
Ferd A. Gnau	John Marshall	H. C. Steely
Eugene Gough	C. S. Matherly	Henry Stewart
Ben Grogan	Duke Mayfield	Dr. H. S. Swope
Jas. T. Hamilton	G. S. Milam	W. R. Tapp
C. L. Hammons	W. H. Miller	J. J. Thomas
W. L. Hampton, Jr.	John B. Mollett	R. Van Bever, Jr.
Thomas W. Hines	W. E. Mull	S. J. Wagner
Price Holbrook	Tyler Munford	Joseph L. Wall
Clyde S. Howard	Rodes K. Myers	Henry Ward
Ira W. Hulette	J. C. Nickell	L. R. Wells
John M. Hunnicut	Russell O'Neill	W. G. Williams
Ben W. Johnson	A. W. Pfeiffer	Charles Wylie
J. H. Jones	J. C. Ramey	
O. C. Jones	Hobart Rayburn	—88

Resolved that the title thereof be as aforesaid.

Mr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The hour of two o'clock P. M. having arrived, that being the hour for the Special Order of the Day, to wit: a bill entitled:

H. B. 101. An Act amending and re-enacting Section 2132, Carroll's Kentucky Statutes, 1930 Edition, pertaining to

surviving husband's and wife's interest in real and personal property.

The House took up for consideration said bill.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section number 2132, Carroll's Kentucky Statutes, 1930 Edition, be amended and re-enacted so that when amended and re-enacted the same shall read as follows:

Section 2132. After the death of either the husband or wife the survivor shall have an estate for his or her life in one-third of all the real estate of which he or she, or any one for his or her use, was seized of an estate in fee simple during the coverture, unless the right to such dower or interest shall have been barred, forfeited or relinquished and the survivor shall have an absolute estate in one-half of the surplus personalty left by such decedent. Provided, however, that in estimating the widow's dower right or interest in real property, said dower right or interest shall be estimated upon the full value of the property in all cases, excepting where after the satisfaction of any mortgage, lien or encumbrance created thereon said estimated dower right or interest shall exceed the value of the remainder then the widow shall be allotted as dower the balance remaining after satisfaction of said liens.

All acts and parts of acts in conflict herewith to the extent of such conflict are hereby repealed.

Mr. Myers offered the following amendments to said bill, viz.:

Amend H. B. 101, line 12, page 2, striking out the 16 words beginning with "then" and ending with "liens" and adding the words "then the widow shall be allotted as dower

a one-third part of the surplus proceeds or property after the satisfaction of said liens."

Amend H. B. 101 after the word "remainder", line 12, page 2, the words "or be equal thereto."

Said amendments were each agreed to.

Mr. MacDonald moved the previous question.

Thereupon the Speaker announced "shall the main question be now put?"

Which was decided in the affirmative.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	V. O. Chandler	Chas. P. Farnsley
Henry H. Allen	Floyd Clark	T. P. Fitzpatrick
C. W. Anderson, Jr.	George S. Clay	H. Myer Garner
H. T. Baker	J. A. Coleman	G. W. Garrett
W. T. Baker	Harry Davis	James Garnett, Jr.
G. M. Ballard	Sam Dever	Ferd A. Gnau
B. F. Bedford	Stanley S. Dickson	Eugene Gough
Reuben J. Boling	Garland Embry	C. L. Hammons
Wallace Brown	Walter R. Fannin	W. L. Hampton, Jr.

Thomas W. Hines	John Marshall	A. W. Ross
Clyde S. Howard	C. S. Matherly	Ray O. Shehan
Ira W. Hulette	Duke Mayfield	Dr. B. F. Shields
John M. Hunnicut	G. S. Milam	P. L. Sidebottom
J. H. Jones	W. H. Miller	Chester D. Silvers
Leslie Larrimore	W. E. Mull	Bruce Sloan
Robert E. Lee	Tyler Munford	H. C. Steely
M. T. McCarthy	Rodes K. Myers	Henry Stewart
T. B. McConnell	J. C. Nickell	Dr. H. S. Swope
J. L. McDermott	Russell O'Neill	J. J. Thomas
Lloyd MacDonald	A. W. Pfeiffer	R. Van Bever, Jr.
W. F. McGary	Hobart Rayburn	Charles Wylie
Elmer McGlothen	W. T. Rollo	—65

Those who voted in the negative were—

Douglas Bolling	J. F. Ladd	Carl Schneider
Ollie J. Bowen	J. C. Ramey	W. R. Tapp
Jas. C. Carter	Harry C. Records	S. J. Wagner
Roscoe Claxton	L. K. Rice	Joseph L. Wall
Ben Grogan	Wade H. Riley	Henry Ward
R. T. Kirkman	Joe E. Robinson	W. G. Williams
		—18

Resolved that the title thereof be as aforesaid.

Mr. Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Dr. Shields moved that the session of today be extended indefinitely.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 12. An Act relating to the Government of Cities of the Third Class in the Commonwealth of Kentucky.

With a Committee substitute thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any city of the third class may become organized and be governed under the provisions of this Act by proceeding as hereinafter provided. Organizing under this Act shall not change the corporate entity of any such city, but the body politic and corporate shall remain the same body that it now is.

§ 2. All laws applicable to and governing cities of the third class and not inconsistent with the provisions of this Act shall continue to apply to and govern each city that may organize under this act; and all by-laws, ordinances and resolutions in force in any such city and not inconsistent with the provisions of this Act shall continue to be in force until altered or repealed in manner provided for in this Act.

COUNTY JUDGE TO ORDER VOTE WHEN PETITIONED BY VOTERS

§ 3. It shall be the duty of the county judge in the county in which is located a city of the third class proposing to take the sense of its voters, as herein provided, upon the question of organizing and being governed under this Act, upon the application by written petition signed by a number of legal voters of said city equal to twenty per centum (20%) of the votes cast in said city at the last preceding election for major, to receive said petition, and at the next term thereafter to make an order on his order book directing an election to be held in said city at the next regular election and not earlier than sixty days after said application is lodged with said judge, which order shall direct the sheriff, or other officer

of said county who may be appointed to hold said election to open the polls at each and all voting places in said city for the purpose of taking the sense of the qualified voters of said city upon the question as to whether or not the citizens in said city are in favor of the organization and government of said city under the provisions of this Act. The question to be submitted to the voters shall be: "Are you in favor of the organization and government of the city of (naming the city in which said vote is to be taken) under the city manager form of government, according to the provisions of an Act entitled (naming this act, and giving the year or date of passage, or approval, or both)." It shall be the duty of the county clerk to give to the sheriff of the county, or to such officer as may be appointed to hold said election, a certified copy of the order of the county court as it appears in order book, within five days after such order is made; and it shall be the duty of said sheriff, or other such officer, to have said order published in some weekly or daily newspaper published or circulated in said county, for at least two weeks before the election, and also to advertise the same by printed or written handbills, posted in at least three places in said city, for the same length of time. If there is no weekly or daily newspaper published in said city, or the proprietor of said newspaper refuses to publish such notice, the printed or written handbills provided for shall be sufficient notice. If it shall be found that a majority of the legal votes cast at the election hereinabove provided for were given for or against said proposition submitted, it shall be the duty of the canvassing board to certify that fact, which certificate shall be delivered to the clerk of he county court and a copy thereof delivered to the clerk or recorder of the city, and at the next regular term of said court, the county judge shall cause the same to be spread on the order book of said court, and the entry of said certificate in the order book, or a copy thereof, shall be prima facie evidence of the facts therein contained. When a majority of the votes cast shall

be in favor of organizing and governing the city under the provisions of this act, and said fact shall be certified as hereinabove provided, by the said canvassing board to the county clerk, and a copy thereof shall also be certified to the city clerk, said city shall thereafter be organized and governed by the provisions of this Act. Said copy of said certificate shall be spread upon the records of said county, as herein provided, and upon the records of said city at the next regular meeting of the city legislative body.

EXPIRATION OF TERMS OF OFFICERS

§ 4. All the present city offices save those of mayor and police judge shall at the expiration of the mayor's term, or at the expiration of the term of the police judge, whichever one shall first expire, be ipso facto abolished; provided, however, that the term of any officer elected by the people shall not expire until the expiration of such term.

MAYOR AND FOUR COMMISSIONERS COMPOSE BOARD OF COMMISSIONERS—MANNER OF NOMINATION AND ELECTION

§ 5. If the vote shall be in favor of the organization and and government of the city under the city manager form of government, then, at the first succeeding regular election at which the mayor, or police judge of such city is elected, there shall be elected by the qualified voters of said city, four commissioners and a mayor, or police judge, as the case may be, who shall hold office under the provisions of this Act, and such city manager form of government shall become effective, and go into operation upon the qualification and installation in office of the mayor or police judge, as the case may be, and commissioners elected at such election.

§ 6. No person shall be elected to said office of mayor or police judge, or commissioner, without first having been nominated in the manner hereinafter prescribed. On the third

Saturday before the day for regular election there shall be held a primary election. Said primary election shall be conducted by the same officers chosen and acting in the same manner, with the same rights and duties, as in the later regular election. Each applicant for nomination shall, at least ten days before the day of said primary election, file with the county clerk a petition signed by at least one hundred voters, and in the following form:

We the undersigned, qualified voters of the city of..... .....(naming it), and residing each at the place indicated opposite his or her name signed hereto, do hereby request that the name of..... (naming the applicant) be placed on the ballot as that of an applicant for nomination for the office of ..... (naming the office sought) at the primary election to be held in our city on the third Saturday before the next regular election. We know the applicant to be a qualified voter of the city and a person of good character, and is, in our judgment, qualified for the duties of said office.

Names	Numbers	Streets
.....	.....	.....
.....	.....	.....

Such petition shall be verified by the affidavit of some person or persons as to the genuineness of the signatures and addresses of the signers. No voter shall sign more than one such petition with reference to each office that is to be filled; and in the event that any voter shall sign more than one petition of applicants for nomination for mayor or police judge, or shall sign the petitions of more than four applicants for nomination for commissioners, then the name of such petitioner shall not be counted as a valid name on any of said petitions with reference to such office. Immediately upon the expiration of the time for filing such petitions the said county clerk shall cause to be published for three consecutive days in the official newspaper of the city, and in such other papers as

he may designate, in proper form, the names of the persons as they will appear upon the primary ballots; and the said clerk shall, thereupon cause the primary ballots to be printed, authenticated with a facsimile of his signature. Provided, however, that immediately upon the expiration of the time for filing such petitions, if it should appear that there are not more than two applicants for the nomination as mayor or police judge, as the case may be, or not more than eight applicants for the nomination for commissioner, such applicants for mayor or police judge, as the case may be, and such applicants for commissioner shall thereby be nominated and the names of such nominees shall not be placed upon the primary ballots for such primary election, and no primary election shall be held for nomination for such office. Upon said ballots the names of said applicants for each nomination shall be printed as provided in Section 9 of this Act with a square at the right of each name, and above the names of the applicants for nomination for mayor, or police judge, as the case may be, shall be printed the words, "Vote for one," and above the names of the applicants for nomination for commissioners shall be printed the words, "Vote for four". The ballots shall contain no party designation or emblem of any kind, nor any sign indicating any applicant's political belief or party affiliation. Having caused said ballots to be printed, the said county clerk shall cause to be delivered at each polling place a number of said ballots equal to twice the number of votes cast in such polling precinct at the last preceding general municipal election for mayor. The persons who are qualified to vote at the general municipal election shall be qualified to vote at such primary election, and the law applicable to challenges made at a general municipal election shall be applicable to challenges made at such primary election. The officers of election shall, immediately upon the closing of the polls, count the ballots and ascertain the number of votes cast in each precinct for each of the applicants, and make return thereof to

the county clerk upon proper blanks to be furnished by said clerk, within six hours of the closing of the polls. On the day following the said primary election the county board of election commissioners shall canvass said returns so received from all the polling precincts, and shall publish in the official newspaper of the city, at least once, the result thereof. Said canvass by the county board shall be publicly made. At such primary election the two applicants receiving the highest number of votes for nomination for mayor or police judge, as the case may be, shall be thereby nominated; and the eight applicants receiving the highest number of votes for nominations for commissioners shall be thereby nominated.

§ 7. The expenses of all primary elections under the provisions of this Act shall be paid by the city.

§ 8. At the regular elections held under this Act the names of the nominees shall be placed upon ballots differing from those used at the nomination only in that they (the election ballots) shall contain only the names of the successful nominees and the heading "city ballot," and the one nominee receiving the greater number of votes cast for mayor or police judge as the case may be, and the four nominees receiving the greatest number of votes cast for commissioners shall be elected, respectively, mayor or police judge (as the case may be), and commissioners.

§ 9. At all elections held under this act the ballots shall be on a different sheet from all other ballots to be used in any election and shall be in the form therein prescribed, except the words "city ballot" shall be at the head thereof, and the names of all candidates for each office shall be printed on the first fifty ballots as arranged in alphabetical order and on each of the succeeding fifty ballots the names shall be printed in the same order, except that the first name on the preceeding fifty ballots shall be shifted to the last place on the next succeeding fifty ballots, which last name so shifted from the first place on said previous lot of fifty ballots shall be succeeded by the

second name thereon at all times, and so on thereafter throughout, a like change or rotation being made in the printed order of names for every fifty ballots.

The provisions for the general election law of the State of Kentucky as to the duties of the county clerk and other public officers in the matter of printing and distributing ballots, of the issuing of them to the voters, of receiving and depositing them in ballot boxes and of counting and preserving them, and in all other particulars except as otherwise provided herein shall be applicable in all respects to the election of the municipal officers under the provisions of this act, provided, that it shall be the duty of the sheriff of each county in which is a city of third class operating under the provisions of this Act, to provide for each precinct in said city a separate box for the reception of ballots used in the election of the municipal officers. And provided, further, that it shall be the duty of the officers of election in each precinct to issue the ballots herein provided for in the same manner as other ballots are issued at said elections, by writing the name and the residence of the voter upon the primary stub and his register upon the secondary stub of the city ballot, and by observing as to these ballots, such other regulation for the issue and deposit of ballots as may be prescribed for election generally. It shall be unlawful for any election officer or other person within the election booth to tell or to indicate, by word of mouth or otherwise, to a voter what may be the political affiliation of any candidate, and a violation of this provision shall be a misdemeanor, punishable by a fine not exceeding two hundred dollars. At the opening of the polls at any election herein provided for each judge shall appoint an inspector and challenger, whose duty it shall be to act as such in the precinct in which he is appointed and in so acting said inspector and challenger shall be governed by the provisions of the general election law with reference to inspector and challenger.

§ 10. Every fourth year after the election at which a

mayor and said four commissioners shall be elected, and at the corresponding times in the year, a primary election and a regular election shall be held in the same manner and for the same offices; and every fourth year after the election at which such police judge and said four commissioners shall be elected and at the corresponding times in the year, a primary election and a regular election shall be held in the same manner and for the same offices.

QUALIFICATIONS OF OFFICERS

§ 11. Any legal voter of not less than twenty-five years of age, and possessing the other qualifications prescribed by law, shall be eligible to election to any office under this Act.

LENGTH OF TERMS, SALARIES, RESPONSIBILITIES OF MAYOR AND COMMISSIONERS

§ 12. The mayor shall be elected for a term of four years, beginning on the first Monday in January following his election; and shall receive an annual salary of twelve hundred dollars; but provided that the Mayor and Commissioners elected under this Act may at any time reduce said salary to an amount not less than one dollar per annum.

§ 13. The commissioners shall be elected each for a term of two years, beginning the first Monday in January, following their election; and each shall receive an annual salary of nine hundred dollars; but provided that the Mayor and Commissioners elected under this Act may at any time reduce said salary to an amount not less than one dollar per annum.

§ 14. The mayor and the four commissioners shall constitute a board of commissioners. In this board of commissioners shall be vested all the legislative, executive and administrative power of the city, save as herein otherwise provided.

§ 15. Three members of the board of commissioners shall constitute a quorum, but the affirmative vote of at least three members shall be necessary to the adoption of any

motion, resolution or ordinance, to the making or approval of any contract, or to the passage of any measure. Upon each vote the yeas and nays shall be recorded and each motion, resolution and ordinance shall be reduced to writing and read before the vote is taken thereon. Each resolution, measure or ordinance shall be signed by the mayor or by two commissioners, and recorded before it shall take effect. The board of commissioners, shall, at the beginning of its term of office, elect, by a majority of all its members, one commissioner to act as mayor pro tem., and the commissioner so chosen shall be invested with all the powers and shall perform all the duties of the mayor, in the event of his absence from the city or his inability to attend to the duties of his office.

§ 16. The mayor shall preside at meetings of the board of commissioners and perform such other duties consistent with his office as may be imposed by the board of commissioners. He shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil processes, and by the governor for military purposes. In time of public danger or emergency he may, with the consent of the board of commissioners, take command of the police and maintain order and enforce the laws.

CITY MANAGER MUST BE EMPLOYED BY THE BOARD OF COMMISSIONERS—HIS RESPONSIBILITIES AND AUTHORITY IN ORGANIZING ADMINISTRATIVE DEPARTMENTS

§ 17. Under the City Manager Form of Government the board of commissioners shall select and employ a city manager who shall not be an officer or official of the city but the executive agent of the mayor and board of commissioners in the management of the city affairs. Neither the mayor nor board of commissioners nor any commissioner shall dictate the appointment of any person to office or employment by the city manager or prevent him from exercising his own judgment in the appointment of officers and employees in the ad-

ministrative service. Except for the purpose of inquiry the board of commissioners and its members shall deal with the administrative service solely through the city manager and neither the board of commissioners nor any member thereof shall give orders to any of the subordinates of the city manager, either publicly or privately. Any such dictation, prevention, orders, or other interference on the part of the mayor or of a member of the board of commissioners with the administration of the city shall be deemed to be a misdemeanor and upon conviction of any member so convicted shall be subject to a fine not exceeding five hundred dollars or imprisonment for a term not exceeding sixty days, or both, and such conviction shall operate to remove him, and the judgment of the court shall declare the office vacant.

CITY MANAGER'S QUALIFICATIONS—RESPONSIBLE TO AND REMOVABLE BY BOARD OF COMMISSIONERS—COMPENSATION

§ 18. The City Manager shall be chosen by the board of commissioners solely on the basis of his executive and administrative qualifications. The choice shall not be limited to inhabitants of the city or state. He shall be removable at will by the board of commissioners, but such removal shall not be effected by a reduction in the compensation of the city manager, and if removed at any time after having served for six months he may in writing demand written charges and a public hearing on the same before the board of commissioners prior to the date on which his final removal shall take effect, but during such hearing the board of commissioners may suspend him from office. Such public hearing shall be fixed by the board of commissioners not to exceed thirty days after such demand therefor. During the absence or disability of the city manager the board of commissioners shall designate some properly qualified person to perform the duties of the

office. The city manager shall receive such compensation as may be determined by the board of commissioners.

§ 19. The city manager shall be responsible to the board of commissioners for the proper administration of all affairs of the city, and to that end shall make all appointments, except as otherwise provided in this law. Except when the board of commissioners is considering his removal, the city manager shall be entitled to be present at all meetings of the commissioners and of its committees and to take part in their discussion.

BOARD OF COMMISSIONERS CREATE ADMINISTRATIVE DEPARTMENTS

§ 20. The board of commissioners shall, upon the written advice of the City Manager, create by ordinance such administrative departments as in the judgment of the board are reasonably required for the efficient, orderly and economical administration of the business affairs of the city; and may at any time create new departments, combine or abolish existing departments, or establish temporary departments; and may also prescribe by ordinance the functions of each department and provide for the appointment or employment of a director of each, or of one or more of such departments. Directors of departments shall be appointed by the city manager and may be removed by him at any time. Any person employed in any department may be removed by him at any time, by the director of such department, or by the city manager, subject to such civil service rules and regulations as may be deemed necessary for the efficient and non-political handling of city affairs.

§ 21. The board of commissioners, the city manager, and any officer or board authorized by them, or either of them, shall have the power to make investigations as to city affairs, to subpoena witnesses, administer oaths, and compel the production of books and papers.

THE BUDGET

§ 22. Once each year the city manager shall prepare and submit to the board of commissioners an annual budget for the ensuing fiscal year, based upon detailed estimates furnished by the several departments and other divisions of the city government, according to a classification as nearly uniform as possible. The budget shall present the following information: (a) An itemized statement of the appropriations recommended by the city manager for current expenses and for permanent improvements for each division thereof for the ensuing fiscal year with comparative statements in parallel columns of the appropriations and expenses for the current and next preceding fiscal year, and the increases or decreases in the appropriations recommended; (b) An itemized statement of the taxes required and of the estimated revenues of the city from all other sources for the ensuing fiscal year, with comparative statements in parallel columns of the taxes and other revenues for the current and next preceding fiscal year, and of the increases and decreases estimated or proposed; (c) A statement of the financial condition of the city; and, (d) Such other information as may be required by the board of commissioners. Copies of the budget shall be printed and available for distribution not later than two weeks after submission to the board of commissioners and a public hearing shall be given thereon by the board of commissioners or a committee thereof before action by the board of commissioners.

§ 23. The board of commissioners shall pass an annual appropriation ordinance, which shall be based on the budget submitted by the city manager. The total amount of appropriations shall not exceed the estimated revenues of the city. Before the annual appropriation ordinance has been passed, the board of commissioners, with the recommendation in writing of the city manager, may make appropriations for the current department expenses, chargeable to the appropriations

for the year when passed, to an amount sufficient to cover the necessary expenses of the various departments, until the annual appropriation is in force. No other liabilities shall be incurred by an officer or employee of the city, except in accordance with the provisions of the annual appropriation ordinance, or under continuing contracts and loans authorized under the provisions of this charter. At any meeting after the passage of the appropriate ordinance, and after at least one week's notice, the board of commissioners may amend such ordinance, so as to authorize the transfer of unused appropriations for one purpose to another purpose, to appropriate available revenues not included in the annual budget.

AUDIT

§ 24. At the termination of each fiscal year an annual audit shall be made of all the accounts of all city officers. The board of commissioners shall require said audit to be made of said accounts by qualified public accountants, selected by the board of commissioners, who have no personal interest, direct or indirect, in the financial affairs of the city or of any of its officers or employees, and the board of commissioners shall cause the result of such examination to be published in the official newspaper and in pamphlet form, and a copy of the report in pamphlet form shall be given to each voter who may apply for same at the proper office. Provided, further, that the board of commissioners may, at any time, provide for an examination or audit of the accounts of any officer or department of the city government.

BONDS OF OFFICIALS

§ 25. The mayor and each commissioner shall execute a bond to the city, upon which an action may be maintained by any person or persons, interested in the keeping of the covenants therein contained, in the penal sum of ten thousand dollars, conditioned upon the faithful performance of his of-

ficial duties, such bonds to be approved by the county judge, and filed as matters of public record. The board of commissioners shall require bonds with adequate surety of such amounts as it may deem advisable, from the city manager, and from any other city employee whose duties, in the opinion of said board, require a bond for faithful performance. Any premiums on any or all bonds provided for in this Act may, at the discretion of the board of commissioners, be paid by the city.

§ 26. Nothing herein shall be construed to apply to the organization, existence, or conduct of the affairs, of the board of education.

Ordinances Lie Over for Public Inspection Before Final Passage

§ 27. Every ordinance or resolution ordering the construction or reconstruction of any street or sewer, or making or authorizing any contract involving the expenditure of more than one thousand dollars, or granting any franchise of the right to use or occupy the streets, highways, bridges, or public places of the city for any except a merely temporary purpose shall after its introduction and before its adoption remain on file at least one week for public inspection in the completed form in which it shall be put upon its final passage; and no such ordinance or resolution shall go into effect until the expiration of ten days after its passage, except in case of emergency the public health or safety shall require that it take immediate effect, which fact shall be declared by unanimous vote of the board of commissioners.

Meetings

§ 28. The board of commissioners shall meet at least once a week for the transaction of its business. It shall fix by ordinance the times of holding its regular meetings. Any

special meeting may be called by the mayor or by two commissioners. All meetings shall be public.

VACANCIES—HOW FILLED

§ 29. In case of the death, resignation or inability of the mayor, causing a permanent vacancy in said office, the mayor pro tem. shall act as mayor and shall possess all the rights and powers and perform all the duties of the mayor and receive his salary, under the official title, however, or mayor pro tem., until such vacancy in the office of mayor is filled by an election ordered by the board of commissioners for that purpose, at which time the mayor pro tem., if his term as commissioner be then unexpired, shall resume his duties as such commissioner. In the event that any commissioner shall for more than thirty days be necessarily absent from the city, or for the same period shall be unable from sickness or other cause to discharge the duties of his office, or in the event the mayor pro tem. shall be filling the office of mayor as contemplated as hereinabove provided for such period, the board of commissioners may fill such office temporarily by appointment, and said appointee shall discharge the duties of the commissioner whose place may thus be temporarily filled until such commissioner shall return or become fit for and resume his duties, and any such temporary appointee shall serve without compensation. In the event of a permanent vacancy in the board of commissioners caused by the death, resignation or inability of any member thereof, or in the event a permanent vacancy in the office of mayor shall be filed by the mayor pro tem., such vacancy shall be filled by appointment by the other members of the board until the vacancy shall be filled by the election of a successor at the next regular election of municipal officers, as is prescribed by law, and such temporary appointee shall for the time he serves as such, receive the salary of the commissioner whose place he has been appointed to fill. A vacancy shall exist when any

elective officer fails to qualify within ten days after notice of his election, or dies (or resigns), or moves his domicile outside the city, or remains outside the city, for a period of six months, or is convicted of a felony, or is judicially declared insane, or is removed from office in any manner.

REMOVAL OF MAYOR OR A COMMISSIONER FOR CAUSE

§ 30. In case of misconduct, inability or willful neglect in the performance of the duties of his offiice, the mayor or any commissioner may be removed from office by an unanimous vote of the other four members of the board of commissioners. But no such officer shall be so removed without having been given the right to have a full public hearing with representation by counsel, and with witnesses summoned in his behalf and required to testify. The findings of fact at any such hearing, and the reasons for any such removal, shall be stated in writing and filed as matter of public record.

REFERENDUM AND INITIATIVE

§ 31. If during the ten days next following the passage of any such ordinance as cannot within said ten days become effective a petition signed by a number of voters equal to at least twenty-five per centum (25%) of the total number of votes cast for both candidates for mayor at the last preceding regular election for mayor, stating the residence of each signer, and verified as to signatures and residence by the affidavits of some one or more persons, shall be presented to the board of commissioners, protesting against the passage of such ordinance such ordinance shall be suspended from going into effect, and shall be reconsidered by the board of commissioners. If such ordinance be not then repealed, the board shall submit to the voters of the whole city at either a special or a regular election according to law, the following question: "Shall the ordinance (briefly describing it), go into effect?" and if a majority of the votes cast upon such

question be in the negative, the ordinance shall not go into effect. But if a majority of the votes cast upon such question be in the affirmative, the ordinance shall go into effect as soon as the result is officially ascertained and declared.

§ 32. If a petition signed by a number of voters equal to at least twenty-five per centum (25%) of the total number of votes cast for both candidates for mayor at the last preceding regular election for mayor, stating the residence of each signer, and verified by affidavits of some one or more persons as to the signatures and residences, requesting the board of commissioners to pass an ordinance therein set forth—if such petition be presented to the board of commissioners, and if the ordinance therein requested to be passed be one that the board has a legal right to pass, then the board shall either pass such proposed ordinace without alteration, within ten days after such petition is filed, or submit the question of its passage to the voters of the city at the next regular election. At such election the question submitted shall be: "Shall the proposed ordinance (briefly describing it), be passed?" If a majority of the votes cast upon said question be in the affirmative, the proposed ordinance shall be thereby passed, and shall become effective, as soon as the result is officially ascertained and declared. And such ordinance shall not be amended or repealed, except by the voters at a regular biennial city election. Any number of proposed ordinances requested by petition as above provided for may be voted on at any election. The board of commissioners may submit the question of repeal or amendment of any such ordinance to the voters at any succeeding regular city election; and if a majority of the votes cast on such questions be in favor of the repeal or amendment, such ordinance shall be thereby repealed, or amended, as the case may be.

§ 33. Whenever a question of passage of a proposed ordinance or of the going into effect, or the repeal, or the amendment of an ordinance is to be submitted to the voters

at an election, the board of commissioners shall cause the proposed ordinance or ordinances, or the ordinance and amendment, as the case may be, to be printed once in the official newspaper of the city, and in such other newspapers as the board of commissioners may direct, before such election.

RETURN TO COUNCILMANIC FORM OF GOVERNMENT—HOW

§ 34. Whenever the citizens of any city, which shall have been organized and governed under the provisions of this act for a period of not less than four years, shall desire that the organization and government of such under the provisions of this act shall terminate and cease, and shall desire that said city be organized and governed under the "Councilmanic Form of Government," under the provisions of an act entitled: "An Act for the government of cities of the third class in the Commonwealth of Kentucky," approved in 1893 as amended, and said citizens shall file with the county judge of the county in which is located said city, written petitions signed by a number of the legal voters of said city equal to twenty-five per centum (25%) of the votes cast in said city at the last preceding general election, it shall be the duty of the county judge of said county to receive said petition and at the next regular term thereafter to make an order on his order books, directing an election to be held in said city at the next regular election and not earlier than sixty days after said application is lodged with said judge, which order shall direct the sheriff, or other officer of said county who may be appointed to hold said election, to open the polls at each and all the voting places in said city for the purpose of taking the sense of the voters of said city upon the question as to whether or not the citizens of said city are in favor of the abandonment of the organization and government of said city under the provisions of this act, and the adoption of the "Councilmanic Form" of government as provided for in

said act above named and the amendment thereto. The question to be submitted to the voters shall be: "Shall the city of..... (naming said city) abandon its organization and government under the City Manager form of government as provided for in an act entitled (naming this act, and giving the year or date of passage or approval, or both), and be organized and governed under the 'Councilmanic' form of government as provided for in an act entitled: 'An Act for the government of cities of the third class in the Commonwealth of Kentucky,' approved in 1893, and the amendments thereto." It shall be the duty of the county clerk to give to the sheriff of the county or to such other officer as may be appointed to hold said election, a certified copy of the order of the county court as it appears on the order book, within five days after such order is made and it shall be the duty of said sheriff or other officer to have such order published in some weekly or daily newspaper, published or circulated in said county, for at least two weeks before the election, and also to advertise the same by printed or written handbills posted in conspicuous places in said city, for the same length of time. If there is no weekly or daily newspaper published in said city, or the proprietor of such paper refuses to publish said notice, the printed or written handbills provided for shall be sufficient notice. The sheriff or other officers shall have the advertisements and notices herein provided for, posted as herein required, within seven days after he receives the orders of the county court. It shall be the duty of the canvassing board to certify the result of said election to the county court, which certificate shall be delivered to the clerk of the city and at the next regular term of said court the county judge shall cause the same to be spread upon the order book of said court and the entry of said certificate on the order book, or copy thereof shall be prima facie evidence of the facts therein contained.

When a majority of the votes cast shall be in favor of

said proposition to be submitted, and said facts shall be certified to as hereinbefore provided, by the said canvassing board to the county clerk and a copy of which shall be certified to the city clerk and said copy of said certificate shall be spread upon the records of said county, as herein provided, and upon the records of said city at the next regular meeting of the board of commissioners, thereupon said city shall cease to be governed by the provisions of this act, but thereafter shall be governed by the "councilmanic" form of municipal government as provided for in an act entitled: "An Act for the government of cities of the third class in the Commonwealth of Kentucky," and the amendments thereto, which said act was approved in 1893, independent of the provisions of this act. Provided that the commissioners there or theretofore elected shall continue in office and administer the government of such city until expiration of the terms for which they were elected; and, provided further that elections under this section shall not be held at the same time commissioners are elected.

RETURN TO COMMISSION FORM OF GOVERNMENT—HOW

§ 35. Nothing in this act shall be construed to prevent any city of third class in the Commonwealth of Kentucky from becoming organized and governed under the commission form of municipal government as provided in Article II of Chapter 89 of the 1930 Edition of John D. Carroll's Kentucky Statutes and being Sections 3480-1 to 3480-29 inclusive thereof, by following the procedure therein provided for.

§ 36. All acts, or part of acts, in conflict herewith are, to the extent of such conflict, hereby repealed.

§ 37. If any section of this act be held to be invalid, or unconstitutional, such fact shall not affect any other section of this act, it being the intention of the General Assembly in enacting this act to enact each section separately; and if any proviso or exception contained in any section of this act shall be held to be invalid, or unconstitutional, such fact shall not

affect the remaining portion of such section, it being the intention of the General Assembly to enact each section of this act and each proviso and each exception thereto, separately.

Said Substitute is as follows, viz.:

H. B. 12. An Act relating to the Government of Cities of the Third Class in the Commonwealth of Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any city of the third class may become organized and be governed under the provisions of this Act by proceeding as hereinafter provided. Organizing under this Act shall not change the corporate entity of any such city, but the body politic and corporate shall remain the same body that it now is.

§ 2. All laws applicable to and governing cities of the third class and not inconsistent with the provisions of this Act shall continue to apply to and govern each city that may organize under this act; and all by-laws, ordinances and resolutions in force in any such city and not inconsistent with the provisions of this Act shall continue to be in force until altered or repealed in manner provided for in this Act.

§ 3. It shall be the duty of the county judge in the county in which is located a city of the third class proposing to take the sense of its voters, as herein provided, upon the question of organizing and being governed under this Act, upon the application of written petition signed by a number of legal voters of said city equal to twenty per centum (20%) of the votes cast in said city at the last preceding election for mayor, to receive said petition, and at the next regular term thereafter to make an order on his order book directing an election to be held in said city at the next regular election and not earlier than sixty days after said application is lodged with said judge, which order shall direct the sheriff or other

officer of said county who may be appointed to hold said election, to open the polls at each and all voting places in said city for the purpose of taking the sense of the qualified voters of said city upon the question as to whether or not the citizens in said city are in favor of the organization and government of said city under the provisions of this Act. The question to be submitted to the voters shall be: "Are you in favor of the organization and government of the city of (naming the city in which said vote is to be taken) under the city manager form of government, according to the provision of an Act entitled (naming this act, and giving the year or date of passage, or approval or both)?" It shall be the duty of the county clerk to give to the sheriff of the county, or to such officer as may be appointed to hold said election, a certified copy of the order of the county court as it appears on the order book, within five days after such order is made; and it shall be the duty of said sheriff, or other such officer, to have said order published in some weekly or daily newspaper published or submitted in said county, for at least two weeks before the election, and also to advertise the same by printed or written handbills, posted in at least three places in said city, for the same length of time. If there is no weekly or daily newspaper published in said city, or the proprietor of said newspaper refuses to publish such notice, the printed or written handbills provided shall be sufficient notice. If it shall be found that a majority of the legal votes cast at the election hereinabove provided for are against said proposition submitted, it shall be the duty of the canvassing board to certify that fact, which certificate shall be delivered to the clerk of the county court and a copy thereof delivered to the clerk or recorder of the city, and at the next regular term of said court, the county judge shall cause the same to be spread on the order book of said court, and the entry of said certificate in the order book, or a copy thereof, shall be prima facie evidence of the facts therein contained. When a ma-

jority of the votes cast shall be in favor of organizing and governing the city under the provisions of this act, and said fact shall be certified as hereinabove provided, by the said canvassing board to the county clerk, and a copy thereof shall also be certified to the city clerk, said city shall thereafter be organized and governed by the provisions of this Act. Said copy of said certificate shall be spread upon the records of said county, as herein provided, and upon the records of said city at the next regular meeting of the city legislative body.

§ 4. All the present city offices save those of the mayor and police judge and city prosecuting attorney, shall at the expiration of the mayor's term, or at the expiration of the term of the police judge, whichever one shall first expire, be *ipso facto* abolished; provided, however, that the term of any officer elected by the people shall not expire until the expiration of such term.

§ 5. If the vote shall be in favor of the organization and government of the city under the city manager form of government, then, at the first succeeding regular election at which the mayor, or police judge of such city is elected, there shall be elected by the qualified voters of said city, two commissioners and a mayor, or police judge, as the case may be, who shall hold office under the provisions of this Act, and such city manager form of government shall become effective and go into operation and installation in the office of the mayor or police judge, as the case may be, and commissioners elected at such election.

§ 6. No person shall be elected to said office of mayor or police judge, or commissioner, without first having been nominated in the manner hereinafter prescribed. On the third Saturday before the day for regular election, there shall be held a primary election. Said primary election shall be conducted by the same officers chosen and acting in the same manner, with the same rights and duties, as in the later regular election. Each applicant for nomination shall, at least ten

days before the day of said primary election, file with the county clerk a petition signed by at least one hundred voters (100), and in the following form:

We the undersigned, qualified voters of the city of..... .....(naming it), and residing each at the place indicated opposite his or her name signed hereto, do hereby request that the name of.....(naming the applicant) be placed on the ballot as that of an applicant for nomination for the office of..... (naming the office sought) at the primary election to be held in our city on the third Saturday before the next regular election. We know the applicant to be a qualified voter of the city and a person of good character, and is, in our judgment, qualified for the duties of said office.

Names	Numbers	Streets

Said petition shall be verified by the affidavit of some person or persons as to the genuineness of the signatures and addresses of the signers. No voter shall sign more than one such petition with reference to each office that is to be filled; and in the event that any voter shall sign more than one petition of applicants for nomination for mayor or police judge, or shall sign the petitions of more than two applicants for nomination for commissioners, then the name of such petitioner shall not be counted as a valid name on any of said petitions with reference to such office. Immediately upon the expiration of the time for filing such petitions the said county clerk shall cause to be published for three consecutive days in the official newspaper of the city, and in such other papers as he may designate, in proper form, the names of the persons as they will appear upon the primary ballots to be printed, authenticated with a facsimile of his signature. Provided,

however, that immediately upon the expiration of the time for filing such petitions it should appear that there are not more than two applicants for the nomination as mayor or police judge, as the case may be, or not more than four applicants for the nomination for commissioner, such applicants for mayor or police judge, as the case may be, and such applicants for commissioner shall thereby be nominated and the names of such nominee which will be placed upon the primary ballots for such primary election, and no primary election shall be held for the nomination for such office. Upon said ballots the names of said applicants for each nomination shall be printed as provided in Section 9, of this Act, with the square at the right of each name, and above the names of the applicants for nomination for mayor, or police judge, as the case may be, shall be printed the words, "Vote for one," and above the names of the applicants for nomination for commissioners shall be printed the words, "Vote for two".

The ballots shall contain no party designation or emblem of any kind, nor any sign indicating the applicant's political belief or party affiliation. Having caused said ballots to be printed, the said county clerk shall cause to be delivered at each polling place a number of said ballots equal to twice the number of votes cast in such polling precinct at the last preceding general municipal election for mayor. The persons who are qualified to vote at the general municipal election shall be qualified to vote at such primary elections. The officers of election shall then conform with the provisions of the laws of this state regarding the counting of the ballots cast. After said ballots have been counted in conformity with the laws of the State of Kentucky, said result shall be published in the official newspaper of the city, at least once. At such primary election the two applicants receiving the highest number of votes for nomination for mayor or police judge, as the case may be, shall be thereby nominated; and the four applicants receiving the highest number of votes for nomination for commissioners shall be thereby nominated.

§ 7. The expenses of all primary elections under the provisions of this Act shall be paid by the city.

§ 8. At the regular elections held under this Act the names of the nominees shall be placed upon ballots differing from those used at the nomination only in that they (the election ballots) shall contain only the names of the successful nominees and the heading "city ballots", and the one nominee receiving the greater number of votes cast for mayor or police judge, as the case may be, and the two nominees receiving the greater number of votes for commissioners shall be elected, respectively, mayor or police judge, as the case may be, and commissioners.

§ 9. At all elections held under this act the ballots shall be on a different sheet from all other ballots to be used in any election and shall be in the form therein prescribed, except the words "city ballot", shall be on the head thereof and the names of all candidates for each office shall be printed on said ballot in a single column. The names of the candidates for each office shall be printed on the first fifty ballots as arranged in alphabetical order and on each of the succeeding fifty ballots the names shall be printed in the same order, except that the first name on the preceding fifty ballots shall be shifted to the last place on the next succeeding fifty ballots, which last name so shifted from the first place on said previous lot of fifty ballots shall be succeeded by the name thereon at all times, and so on thereafter throughout, a like change or rotation being made in the printed order of names for every fifty ballots.

The provisions for the general election law of the State of Kentucky as to the duties of the county clerk and other public officers in the matter of printing and distributing ballots, of the issuing of them to the voters, of receiving and depositing them in ballot boxes and of counting and preserving them, and in all other particulars except as otherwise provided herein shall be applicable in all respects to the election of officers under the provisions of this act, provided, that it shall

be the duty of the sheriff of each county in which is a city of third class operating under the provisions of this Act, to provide for each precinct in each city a separate box for the reception of ballots used in the election of the municipal officers and provided, further, that it shall be the duty of the officers of election in each precinct to issue the ballots herein provided for in the same manner as other ballots are issued at said election, by writing the name and the residence of the voter upon the primary stub and his register upon the secondary stub of the city ballot, and by his observing as to these ballots, such other regulations for the issuing and deposit of ballots as may be prescribed for elections generally. It shall be unlawful for any election officer or other person within the election booth to tell or to indicate, by word of mouth or otherwise, to a voter what may be the political affiliation of any candidate, and the violation of this provision shall be a misdemeanor, punishable by a fine not exceeding two hundred ($200.00) dollars. At the opening of the polls at any election herein provided for each judge shall appoint an inspector and challenger, whose duty it shall be to act as such in the precinct in which he is appointed and in so acting said inspector and challenger shall be governed by the provisions of the general election law with reference to inspectors and challengers.

§ 10. Every fourth year after the election at which a mayor and said two commissioners shall be elected, and at the corresponding times in the year, a primary election and a regular election shall be held in the same manner and for the same offices; and every fourth year after the election at which such police judge and said two commissioners shall be elected, and at the corresponding times in the year, a primary election and a regular election shall be held in the same manner and for the same offices.

§ 11. Any legal voter not less than twenty-five years of age and possessing the other qualifications prescribed by law, shall be eligible to election to any office under this Act.

§ 12. The mayor shall be elected for a term of four years, beginning on the first Monday in January following his election; and shall receive an annual salary of not more than $750.00; but the mayor and commissioners elected under this Act may at any time reduce said salary to an amount not less than one dollar per annum.

§ 13. The commissioners shall be elected each for a term of two years, beginning the first Monday in January, following their election; and each shall receive an annual salary of not more than $500.00 but the mayor and commissioners elected under this Act may at any time reduce said salary to an amount not less than $1.00 per annum.

§ 14. The mayor and the two commissioners shall constitute a board of commissioners. In this board of commissioners shall be vested all the legislative, executive and administrative power of the city, save as herein otherwise provided.

§ 15. Two members of the board of commissioners shall constitute a quorum, but the affirmative vote of at least two members shall be necessary to the adoption of any motion, resolution or ordinance, to the making or approval of any contract, or to the passage of any measure. Upon each vote the yeas and nays shall be recorded and each motion, resolution and ordinance shall be reduced to writing and read before the vote is taken thereon. Each resolution, measure or ordinance shall be signed by the mayor or by two commissioners, and recorded before it shall take effect. The mayor shall have no veto power. The board of commissioners, shall, at the beginning of its term of office, elect, by a majority of its members, one commissioner to act as mayor pro tem., and the commissioner so chosen shall be invested with all the powers and shall perform all the duties of the mayor, in the event of his absence from the city or his inability to attend to the duties of his office.

§ 16. The mayor shall preside at meetings of the board of commissioners and perform such other duties consistent

with his office as may be imposed by the board of commissioners. He shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for military purposes. In time of public danger or emergency he may, with the consent of the board of commissioners, take command of the police and maintain order and enforce the laws.

§ 17. Under the City Manager form of government the board of commissioners shall select and employ a city manager who shall not be any officer or official of the city, but the executive agent of the mayor and board of commissioners in the management of the city affairs. Neither the mayor nor board of commissioners nor any commissioner shall dictate the appointment of any person to office or employment by the city manager, or in any manner interfere with the city manager or prevent him from exercising his own judgment in the appointment of officers and employees in the administrative service. Except for the purpose of inquiry the board of commissioners and its members shall deal with the administrative service solely through the city manager and neither the board of commissioners nor any member thereof shall give orders to any of the subordinates of the city manager, either publicly or privately. Any such dictation, prevention, orders, or other interference on the part of the mayor or of a member of the board of commissioners with the administration of the city shall be deemed to be a misdemeanor and upon conviction of any member so charged shall be subject to a fine of not more than Five Hundred ($500.00) Dollars or imprisonment for a term not exceeding sixty days, or both, and such conviction shall operate to remove him, and the judgment of the court shall declare the office vacant.

§ 18. The City Manager shall be chosen by the board of commissioners solely on the basis of his executive and administrative qualifications. The choice shall not be limited to inhabitants of the city or state. He shall be employed for an indefinite period. He shall be removable at will by the

board of commissioners, but such removal shall not be effected by a reduction in the compensation of the city manager, and if removed at any time after having served for six months he may in writing demand written charges and a public hearing on the same before the board of commissioners prior to the date on which his final removal shall take effect, but during such hearing the board of commissioners may suspend him from office. Such public hearing shall be fixed by the board of commissioners not to exceed thirty days after such demand therefor. During the absence or disability of the city manager the board of commissioners shall designate some properly qualified person to perform the duties of the office. The city manager shall receive such compensation as may be determined by the board of commissioners.

§ 19. The city manager shall be responsible to the board of commissioners for the proper administration of all affairs of the city, and to that end shall make all appointments, except as otherwise provided in this law. Except when the board of commissioners is considering his removal, the city manage shall be entitled to be present at all meetings of the board of commissioners and of its committees and to take part in their discussion.

§ 20. The board of commissioners shall, upon the written advice of the City Manager, create by ordinance such administrative departments as in the judgment of the board are reasonably required for the efficient, orderly and economical administration of the business affairs of the city; and may at any time create new departments, combine or abolish existing departments, or establish temporary departments; and may also prescribe by ordinace the functions of each department and provide for the appointment or employment of a director of each, or of one or more of such departments. Directors of departments shall be appointed by the city manager and may be removed by him at any time. Any person employed in any department may be removed at any time by the director of such department, or by the city manager, sub-

ject to such civil service rules and regulations as may be deemed necessary for the efficient and non-political handling of city affairs.

§ 21. The board of commissioners, the city manager, and any officer or board authorized by them, or either of them, shall have the power to make investigations as to city affairs, to subpoena witnesses, adminster oaths, and compel the production of books and papers.

§ 22. Once each year the city manager shall prepare and submit to the board of commissioners an annual budget for the ensuing fiscal year, based upon detailed estimates furnished by the several departments and other divisions of the city government, according to a classification as nearly uniform as possible. The budget shall present the following information: (a) An itemized statement of the appropriations recommended by the city manager for current expenses and for permanent improvements for each department and each division thereof for the ensuing fiscal year with comparative statements in parallel columns of the appropriations and expenditures for the current and next preceding fiscal year, and the increases and decreases in the appropriations recommended; (b) An itemized statement of the taxes required and of the estimated revenues of the city from all other sources for the ensuing fiscal year, with comparative statements in parallel columns of the taxes and other revenues for the current and next preceding fiscal year, and of the increases and decreases estimated or proposed; (c) A statement of the financial condition of the city; and, (d) Such other information as may be required by the board of commissioners. Copies of the budget shall be printed and available for distribution not later than two weeks after submission to the board of commissioners and a public hearing shall be given thereon by the board of commissioners or a committee thereof before action by the board of commissioners.

§ 23. The board of commissioners shall pass an annual appropriation ordinance, which shall be based on the

budget submitted by the city manager. The total amount of appropriations shall not exceed the estimated revenues of the city. Before the annual appropriation ordinance has been passed, the board of commissioners, with the recommendation in writing of the city manager, may make appropriations for the current department expenses, chargeable to the appropriations for the year when passed, to an amount sufficient to cover the necessary expenses of the various departments, until the annual appropriation is in force. No other liabilities shall be incurred by any officer or employee of the city, except in accordance with the provisions of the annual appropriation ordinance, or under continuing contracts and loans authorized under the provisions of this charter. At any meeting after the passage of the appropriation ordinance, and after at least one week's notice, the board of commissioners may amend such ordinance, so as to authorize the transfer of unused appropriations for one purpose to another purpose, to appropriate available revenues not included in the annual budget.

§ 24. At the termination of each fiscal year an annual audit shall be made of all the accounts of all city officers. The board of commissioners shall require said audit to be made of said accounts by qualified public accountants, selected by the board of commissioners, who have no personal interest, direct or indirect, in the financial affairs of the city or of any of its officers or employees, and the board of commissioners shall cause the result of such examination to be published in the official newspaper and in pamphlet form, and a copy of the report in pamphlet form shall be given to each voter who may apply for same at the proper office. Provided, further, that the board of commissioners may, at any time, provide for an examination or audit of the accounts of any officer or department of the city government.

§ 25. The mayor and each commissioner shall execute a bond to the city, upon which an action may be maintained by any person or persons, interested in the keeping of the

covenants therein contained, in the penal sum of ten thousand dollars, conditioned upon the faithful performance of his official duties, such bonds to be approved by the county judge, and filed as matters of public record. The board of commissioners shall require bonds with adequate surety of such amounts as it may deem advisable, from the city manager, and from any other city employee whose duties, in the opinion of said board, require a bond for faithful performance. Any premiums on any or all bonds provided for in this Act may, at the discretion of the board of commissioners, be paid by the city.

§ 26. Nothing herein shall be construed to apply to the organization, existence, or conduct of the affairs of the board of education.

§ 27. Every ordinance or resolution ordering the construction or reconstruction of any street or sewer, or making or authorizing any contract involving the expenditure of more than one thousand dollars, or granting any franchise of the right to use or occupy the streets, highways, bridges, or public places of the city for any except a merely temporary purpose shall after its introduction and before its adoption remain on file at least one week for public inspection in the completed form in which it shall be put upon its final passage; and no such ordinance or resolution shall go into effect until the expiration of ten days after its passage, except in case of emergency the public health or safety shall require that it take immediate effect, which fact shall be declared by unanimous vote of the board of commissioners.

§ 28. The board of commissioners shall meet at least once a week for the transaction of its business. It shall fix by ordinance the times for holding its regular meetings. Any special meeting may be called by the mayor or by two commissioners. All meetings shall be public.

§ 29. In case of the death, resignation or inability of the mayor, causing a permanent vacancy in said office, the

mayor pro tem. shall act as mayor and shall possess all the rights and powers and perform all the duties of the mayor and receive his salary, under the official title, however, of mayor pro tem., until such vacancy in the office of mayor be filled by an election ordered by the board of commissioners for that purpose, at which time the mayor pro tem., if his term as commissioner be then unexpired, shall resume his duties as such commissioner. In the event that any commissioner shall for more than thirty days be necessarily absent from the city, or for the same period shall be unable from sickness or other cause to discharge the duties of his office, or in the event the mayor pro tem. shall be filling the office of mayor as contemplated as hereinabove provided for such period, the board of commissioners may fill such office temporarily by appointment, and said appointee shall discharge the duties of the commissioner whose place may thus be temporarily filled until such commissioner shall return or become fit for and resume his duties, and any such temporary appointee shall serve without compensation. In the event of a permanent vacancy in the board of commissioners caused by the death, resignation or inability of any member thereof, or in the event a permanent vacancy in the office of mayor shall be filled by the mayor pro tem., such vacancy shall be filled by appointment by the other members of the board until the vacancy shall be filled by the election of a successor at the next regular election of municipal officers, as is prescribed by law, and such temporary appointee shall for the time he serves as such, receive the salary of the commissioner whose place he has been appointed to fill. A vacancy shall exist when any elective officer fails to qualify within ten days after notice of his election, or dies (or resigns), or moves his domicile outside the city, or remains outside the city, for a period of six months, or is convicted of a felony, or is judicially declared insane, or is removed from office in any manner.

§ 30. In case of misconduct, inability or willful neglect in the performance of the duties of his office, the mayor or any

commissioner may be removed from office by an unanimous vote of the other two members of the board of commissioners. But no such officer shall be so removed without having been given the right to have a full public hearing with representation by counsel, and with witnesses summoned in his behalf and required to testify. The findings of fact at any such hearing, and the reasons for any such removal, shall be stated in writing and filed as matter of public record.

§ 31. If during the ten days next following the passage of any such ordinance as cannot within said ten days become effective a petition signed by a number of voters equal to at least twenty-five per centum (25%) of the total number of votes cast for both candidates for mayor at the last preceding regular election for mayor, stating the residence of each signer, and verified as to signatures and residences by the affidavits of some one or more persons, shall be presented to the board of commissioners, protesting against the passage of such ordinances, such ordinance shall be suspended from going into effect, and shall be reconsidered by the board of commissioners. If such ordinance be not then repealed, the board shall submit to the voters of the whole city at either a special or a regular election according to law, the following question: "Shall the ordinance (briefly describing it), go into effect?" and if a majority of the votes cast upon such question be in the negative, the ordinance shall not go into effect. But if a majority of the votes cast upon such question be in the affrmative, the ordinance shall go into effect as soon as the result is officially ascertained and declared.

§ 32. If a petition signed by a number of voters equal to at least twenty-five per centum (25%) of the total number of votes cast for both candidates for mayor at the last preceding regular election for mayor, stating the residence of each signer, and verified by affidavits of some one or more persons as to the signatures and residences, requesting the board of commissioners to pass an ordinance therein set forth

—if such petition be presented to the board of commissioners, and if the ordinance therein requested to be passed be one that the board has a legal right to pass, then the board shall either pass such proposed ordinance without alteration, within ten days after such petition is filed, or submit the question of its passage to the voters of the city at the next regular election. At such election the question submitted shall be: "Shall the proposed ordinance (briefly describing it), be passed?" If a majority of the votes cast upon said question be in the affirmative, the proposed ordinance shall be thereby passed, and shall become effective, as soon as the result is officially ascertained and declared. And such ordinance shall not be amended or repealed, except by the voters at a regular biennial city election. Any number of proposed ordinances requested by petition as above provided for may be voted on at any election. The board of commissioners may submit the question of repeal or amendment of any such ordinance to the voters at any succeeding regular city election; and if a majority of the votes cast on such questions be in favor of the repeal or amendment, such ordinance shall be thereby repealed, or amended, as the case may be.

§ 33. Whenever a question of passage of a proposed ordinance or of the going into effect, or the repeal, or the amendment of an ordinance is to be submitted to the voters at an election, the board of commissioners shall cause the proposed ordinance or ordinances, or the ordinance and amendment, as the case may be, to be printed once in the official newspaper of the city, and in such other newspapers as the board of commissioners may direct, before such election.

§ 34. Whenever the citizens of any city, which shall have been organized and governed under the provisions of this act for a period of not less than four years, shall desire that the organization and government of such city under the provisions of this act shall terminate and cease, and said citizens shall file with the county judge of the county in which is located such city, written petitions signed by a number of the

legal voters of said city equal to twenty-five per centum (25%) of the votes cast in said city at the last preceding general election, and it shall be the duty of the county judge of said county to receive said petition and at the next regular term thereafter make an order book, directing an election to be held in said city at the next regular election and not earlier than sixty days after said application is lodged with said judge, which order shall direct the sheriff, or other officer of said county who may be appointed to hold said election, to open the polls at each and all the voting places in said city for the purpose of taking the sense of the qualified voters of said city upon the question as to whether or not the citizens of said city are in favor of the abandonment of the organization and government of said city under the provisions of this act. The question to be submitted to the voters shall be: "Shall the city of.....(naming said city) abandon its organization and government under the 'City Manager' form of government as provided for in an act entitled (naming this act, and giving the year or date of passage or approval, or both), and be organized and governed under the.....(name of form of government) as provided for in an act entitled: 'An Act for the government of cities of the third class in the Commonwealth of Kentucky,' approved.....(date of approval) and the amendments thereto." It shall be the duty of the county clerk to give to the sheriff of the county or to such other officer as may be appointed to hold said election, a certified copy of the order of the county court as it appears on the order book, within five days after such order is made and it shall be the duty of said sheriff or other officer to have such order published in some weekly or daily newspaper, published or circulated in said county, for at least two weeks before the election, and also to advertise the same by printed or written handbills posted in conspicuous places in said city, for the same length of time. If there is no weekly or daily newspaper published in said city, or the proprietor of such paper refuses

to publish said notice, the printed or written handbills provided for shall be sufficient notice. The sheriff or other such officer shall have the advertisements and notices herein provided for, posted as herein required, within seven days after he receives the orders of the county court. It shall be the duty of the canvassing board to certify the result of said election to the county court, which certificate shall be delivered to the clerk of the city and at the next regular term of said court the county judge shall cause the same to be spread upon the order book of said court and the entry of said certificate on the order book, or copy thereof shall be prima facie evidence of the facts therein contained. When a majority of the votes cast shall be in favor of said proposition to be submitted, and said facts shall be certified to as hereinabove provided, by the said canvassing board to the county clerk and a copy of which shall be certified to the city clerk and said copy of said certification shall be spread upon the records of said county, as herein provided, and upon the records of said city at the next regular meeting of the board of commissioners, thereupon said city shall cease to be governed by the provisions of this act, but thereafter shall be governed by the "..... .....(name form of government elected) form of municipal government as provided for in an act entitled: 'An Act for the government of cities of the third class in the Commonwealth of Kentucky,' and the amendments thereto, which said act was approved..... (date of approval)", independent of the provisions of this act. Provided that the commissioners then or theretofore elected shall continue in office and administer the government of such city until the expiration of the terms for which they were elected; and, provided further that elections under this section shall not be held at the same time commissioners are elected.

§ 35. Nothing in this act shall be construed to prevent any city of third class in the Commonwealth of Kentucky from becoming organized and being governed under the commis-

sion form of municipal government as provided in Subsection 11, of Article III, of Chapter 89 of the 1930 Edition of John D. Carroll's Kentucky Statutes, and being Sections 3480b-1 to 3480b-29 inclusive thereof, by following the procedure therein provided for.

§ 36. All acts, or part of acts, in conflict herewith are, to the extent of such conflict, hereby repealed.

§ 37. If any section of this act be held to be invalid, or unconstitutional, such fact shall not affect any other section of this act, it being the intention of the General Assembly in enacting this act to enact each section separately; and if such proviso or exception contained in any section of this act shall be held to be invalid, or unconstitutional, such fact shall not affect the remaining portion of such section, it being the intention of the General Assembly to enact each section of this act and each proviso and each exception thereto, separately.

Said Substitute was then adopted.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	G. M. Ballard	Wallace Brown
Henry H. Allen	B. F. Bedford	Dr. R. A. Byers
C. W. Anderson, Jr.	Reuben J. Boling	Jas. C. Carter
H. T. Baker	Douglas Bolling	V. O. Chandler
W. T. Baker	Ollie J. Bowen	Floyd Clark

Roscoe Claxton	J. H. Jones	Hobart Rayburn
George S. Clay	O. C. Jones	Harry C. Records
J. A. Coleman	R. T. Kirkman	L. K. Rice
Roy Conway	J. F. Ladd	Wade H. Riley
Harry Davis	Leslie Larrimore	Joe E. Robinson
Sam Dever	Robert E. Lee	W. T. Rollo
Stanley S. Dickson	M. T. McCarthy	A. W. Ross
George W. Dunlap	T. B. McConnell	Carl Schneider
Howard G. Early	J. L. McDermott	Ray O. Shehan
Garland Embry	Lloyd MacDonald	Dr. B. F. Shields
Walter R. Fannin	W. F. McGary	P. L. Sidebottom
T. P. Fitzpatrick	Elmer McGlothen	Chester D. Silvers
G. W. Garrett	John Marshall	Bruce Sloan
James Garnett, Jr.	C. S. Matherly	H. C. Steely
Eugene Gough	Duke Mayfield	Henry Stewart
Ben Grogan	G. S. Milam	Dr. H. S. Swope
Jas. T. Hamilton	W. H. Miller	W. R. Tapp
C. L. Hammons	John B. Mollett	J. J. Thomas
W. L. Hampton, Jr.	W. E. Mull	R. Van Bever, Jr.
Thomas W. Hines	Tyler Munford	S. J. Wagner
Price Holbrook	Rodes K. Myers	Joseph L. Wall
Clyde S. Howard	J. C. Nickell	Henry Ward
Ira W. Hulette	Russell O'Neill	L. R. Wells
John M. Hunnicut	Mel Petry	Charles Wylie
Ben W. Johnson	A. W. Pfeiffer	—89

Resolved that the title thereof be as aforesaid.

Mr. Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 43. An Act to amend and re-enact Section 2740,

Kentucky Statutes, 1930 Edition, Chapter 107, 1932 Acts, and Chapter 34, 1934 Acts, relating to classification of cities.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2740, Kentucky Statutes, Carroll's Official 1930 Edition as amended by Chapter 108 of the Acts of 1930, and Chapter 107 of the Acts of 1932 and Chapter 34 of the Acts of 1934, of the General Assembly of Kentucky, be, and the same is hereby, amended and re-enacted by adding to the names of municipalities of the fifth class immediately following the words "Salyersville, Magoffin County", the words "Nortonville, Hopkins County", so that when so amended and re-enacted said section shall read as follows:

First Class. Louisville, Jefferson County.

Second Class. Lexington, Fayette County; Covington, Kenton County; Newport, Campbell County; Paducah, McCracken County; Ashland, Boyd County.

Third Class. Owensboro, Daviess County; Henderson, Henderson County; Frankfort, Franklin County; Bowling Green, Warren County; Middlesboro, Bell County; Hopkinsville, Christian County; Maysville, Mason County; Corbin, Whitley County and Knox County.

Fourth Class. Shelbyville, Shelby County; Richmond, Madison County; Winchester, Clark County; Dayton, Campbell County; Paris, Bourbon County; Catlettsburg, Boyd County; Danville, Boyle County; Mt. Sterling, Montgomery County; Georgetown, Scott County; Versailles, Woodford County; Harrodsburg, Mercer County; Bellevue, Campbell County; Cynthiana, Harrison County; Mayfield, Graves County; Lebanon, Marion County; Ludlow, Kenton County; Nicholasville, Jessamine County; Pineville, Bell County; Madisonville, Hopkins County; Princeton, Caldwell County; Fulton, Fulton County; Lawrenceburg, Anderson County; Rus-

sellville, Logan County; Carrollton, Carroll County; Central City, Muhlenberg County; Franklin, Simpson County; Barbourville, Knox County; Providence, Webster County; Morganfield, Union County; Pikeville, Pike County; Somerset, Pulaski County; Murray, Calloway County; Jackson, Breathitt County; Elizabethtown, Hardin County; Hazard, Perry County; Hickman, Fulton County; Scottsville, Allen County; Earlington, Hopkins County; Olive Hill, Carter County; Irvine, Estill County; Marion, Crittenden County; Clifton, Campbell County; Fort Thomas, Campbell County; Russell, Greenup County; Harlan, Harlan County; Paintsville, Johnson County; Sturgis, Union County; Prestonsburg, Floyd County; Greenville, Muhlenberg County.

Fifth Class. Lancaster, Garrard County; Cadiz, Trigg County; Grand River, Livingston County; Columbus, Hickman County; Glasgow, Barren County; Cloverport, Breckinridge County; Bardstown, Nelson County; Augusta, Bracken County; Stanford, Lincoln County; Williamsburg, Whitley County; Clinton, Hickman County; Midway, Woodford County; Flemingsburg, Fleming County; Vanceburg, Lewis County; Elkton, Todd County; Falmouth, Pendleton County; Carlisle, Nicholas County; Uniontown, Union County; Campbellsville, Taylor County; Hawesville, Hancock County; Eminence, Henry County; Eddyville, Lyon County; Leitchfield, Grayson County; Owingsville, Bath County; Sebree, Webster County; Clay, Webster County; Wickliffe, Ballard County; Morehead, Rowan County; Bardwell, Carlisle County; Dawson Springs, Hopkins County; Millersburg, Bourbon County; Calhoun, McLean County; Springfield, Washington County; Corydon, Henderson County; Hartford, Ohio County; Morton's Gap, Hopkins County; Livermore, McLean County; Beattyville, Lee County; Owenton, Owen County; Burnside, Pulaski County; Warsaw, Gallatin County; Monticello, Wayne County; Berea, Madison County; LaGrange, Oldham County; Guthrie, Todd County; Hustonville, Lincoln County; Drakes-

boro, Muhlenberg County; Tompkinsville, Monroe County; Hellier, Pike County; Perryville, Boyle County; Wilmore, Jessamine County; Greenup, Greenup County; Horse Cave, Hart County; Brooksville, Bracken County; Whitesburg, Letcher County; Columbia, Adair County; Elkhorn City, Pike County; Manchester, Clay County; Beaver Dam, Ohio County; Ravenna, Estill County; Louisa, Lawrence County; Burkesville, Cumberland County; London, Laurel County; Cumberland, Harlan County; Grayson, Carter County; Neon, Letcher County; Raceland, Greenup County; Williamstown, Grant County; Salyersville, Magoffin County; Nortonville, Hopkins County.

§ 2. Whereas, it is necessary for the assigned city mentioned herein to make its tax levy for this year under the charter of the town to which it has been assigned, an emergency is hereby declared to exist, and this act shall take effect and be in full force and effect from and after its passage, and approval by the Governor.

All acts, or parts of acts, inconsistent herewith are hereby repealed.

Mr. Hunnicut offered the following amendments to said bill, viz.:

Amend S. B. 43, Section 1, line 7 by inserting after the word "county", the words "Park Hills, Kenton County."

Amend S. B. 43 by adding after the word "county" in line 65, page 3, the words "Park Hills, Kenton County."

Said amendments were each agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title only and passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Ben Grogan	Rodes K. Myers
Henry H. Allen	Jas. T. Hamilton	J. C. Nickell
C. W. Anderson, Jr.	C. L. Hammons	Russell O'Neill
H. T. Baker	W. L. Hampton, Jr.	Mel Petry
W. T. Baker	Thomas W. Hines	A. W. Pfeiffer
G. M. Ballard	Price Holbrook	J. C. Ramey
B. F. Bedford	Clyde S. Howard	Hobart Rayburn
Reuben J. Boling	Ira W. Hulette	Harry C. Records
Douglas Bolling	John M. Hunnicut	L. K. Rice
Ollie J. Bowen	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	W. T. Rollo
Dr. R. A. Byers	O. C. Jones	A. W. Ross
Jas. C. Carter	R. T. Kirkman	Carl Scheben
V. O. Chandler	J. F. Ladd	Carl Schneider
Floyd Clark	Leslie Larrimore	Ray O. Shehan
Roscoe Claxton	Robert E. Lee	Dr. B. F. Shields
George S. Clay	M. T. McCarthy	P. L. Sidebottom
J. A. Coleman	T. B. McConnell	H. C. Steely
Roy Conway	Lloyd MacDonald	Henry Stewart
Herbert Cook	W. F. McGary	Dr. H. S. Swope
Harry Davis	John Marshall	W. R. Tapp
Stanley S. Dickson	C. S. Matherly	J. J. Thomas
George W. Dunlap	Duke Mayfield	R. Van Bever, Jr.
Garland Embry	G. S. Milam	S. J. Wagner
Walter R. Fannin	W. H. Miller	Joseph L. Wall
Chas. P. Farnsley	John B. Mollett	Henry Ward
T. P. Fitzpatrick	W. E. Mull	L. R. Wells
Eugene Gough	Tyler Munford	W. G. Williams

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Resolved that the title thereof be as aforesaid,

Dr. Shields moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 77. An Act to amend Section 1482, Carroll's Revised Kentucky Statutes, 1933 Supplement Edition, being part of Chapter 83 of the Acts of the General Assembly of 1932 Regular Session, relating to primary and general elections and to the time of closing the polls, procedure; duty of officers respecting ballot boxes, penalties for violating duty, time of counting the ballots and announcing results, election commissioners' duty in regard to counting ballots and issuing certificates of elections or nominations in regard to said elections and repealing all conflicting laws.

With Committee amendments thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

When the hour of four P. M. has arrived the officers shall announce the same at the door of the voting room and close the polls. They shall take charge of the ballot box, at the booth, and in the presence of each other shall place the lock on the small vent in lid and securely lock it, and return the key to the county clerk. Said election officers shall then stamp upon all unused stubs and ballots, with rubber stamp or by writing on the stub and the ballot attached thereto, the word, "unused", and place said stub or ballot book and all other utensils or election material into a linen envelope, to be pro-

vided by the county clerk for that purpose, and shall seal with sealing wax across the seal of the envelope and place the county election seal upon said wax, so as to make the letters plainly visible in three different places on said envelope. The officers of election shall immediately deliver the ballot box, stub book and the envelope containing the unused ballots to the county clerk. The judge and the sheriff of election, of opposite faith, shall forthwith convey said ballot box, stub book and envelope to the county clerk's office, taking his receipt therefor. Said officers shall see that no person other than themselves has access to, or custody of, said ballot box, and they shall each remain in the presence of the other, until said box and envelope is delivered to the county clerk.

And any violation by them of any duty imposed upon them by this section with reference to such conveyance shall render them guilty of a misdemeanor and upon conviction thereof they shall be punished by a fine of not less than $500.00, nor more than $1,000.00 or imprisonment in the county jail for not less than sixty nor more than one hundred days, or both so fined and imprisoned within the discretion of the jury trying the case. Said officers shall also upon delivery to the county court clerk of the ballot box and the poll books, certificates and the envelope containing the spoiled, mutilated and questioned ballots and the keys to the ballot box, together with the county election seal, each make an affidavit and file it with the county court clerk stating in substance that neither they nor anyone else took from the ballot box while in their custody any ballot or put into it any ballot, or in any manner whatever tampered with the contents of the ballot box and that it and its contents as well as all of the articles delivered by them to the county court clerk were and are in the same identical condition as when taken charge of by them at the closing of the polls, and for any false statement made in such affidavit the one so making it shall be subject to indictment and prosecution for false swearing and punished according.

The ballot box shall remain locked, from the time it leaves the county clerk's office and is returned to said office, and until the county election commissioners shall unlock the same for the purpose of counting the ballots as herein provided.

The county court clerk, upon receiving said ballot box and envelope from the election officers shall receipt for the same and shall place said ballot boxes and envelopes in a secure and substantial place and shall keep a sufficient guard over said boxes and envelopes in a careful and painstaking manner until all the ballots have been counted by the election commissioners and those acting with them. Provided, that the chairman of each of the two dominant political parties, shall have the right, and each candidate to be voted for, at any election, may designate one or more persons to assist the county clerk and other guards, to guard the safety of the ballots in said clerk's office. The county clerk shall assist the county election commission, and shall act as its clerk in the counting and certifying of the ballots and the results of said election, for which he shall receive compensation to be allowed by the fiscal court.

The county election commission for the purpose of counting the ballots in any primary or general election and the issuing certificates and making a report shall meet at five (5) o'clock p. m., on the same day of any primary or general election in the office of the county clerk and proceed as speedily as practical to count the ballots of every precinct in such county and at the finish of each and every precinct they shall announce the results at the door of the clerk's office and they shall fill out the blank in the back of the stub book provided for that purpose and each commissioner shall sign the same on a blank provided for that purpose.

The election commission is authorized to employ at county expense such clerical help as said commission may deem necessary to make said count and at the meeting of said commission on the day of election at five (5) o'clock p. m., on said

day, as above set out, the commission shall stay in session for the purpose of ascertaining the results of said election until twelve (12) o'clock midnight of said day and that they may at their discretion adjourn the said tabulation or count of the said ballots until the following day at eight (8) o'clock a. m., except if the said following day be Sunday or a legal holiday, they may adjourn the said counting and tabulation until the fallowing day succeeding the said Sunday or legal holidays, at their discretion and continue in session, Sundays and legal holidays excepted, at their discretion, until the final result of said election is finally completed.

The election commission, if unable to ascertain the result of the election in any county or fail to complete the count of all the precincts in said county by twelve (12) o'clock midnight on the day of said election, may adjourn the said meeting to another day, the reconvening of said commission shall be at eight (8) o'clock on the day set for reconvening and the count shall proceed during said day until six o'clock p. m., or longer at the discretion of the said commission and each additional day they may be required to complete the said count, shall be at such hours as above set out.

There shall be provided by the county clerk a large sheet upon which to tabulate the vote of the whole county, district or municipality, so that each candidate can ascertain the number of votes in each precinct and the total number of votes in each precinct and the total number in the election unit, cast for him. If any ballots are found mutilated, defaced, marked or spoiled or otherwise questionable so that they are of doubtful integrity, the commission shall put all such ballots in a sealed envelope after writing on them and each of them, whether they have been counted, and for whom.

In any general or primary election held in this state or any county, district or municipality, the same procedure shall prevail and the county election commission shall count and certify the result in the manner herein provided.

The said election commission shall issue to successful candidates for office or nominations, their certificates of election or nominations in all county, magisterial districts or any subdivision of any county and shall certify the result of the election in their said county, the Secretary of State in all elections or nominations, to be made for state and district officers and nominations.

In all general elections the governing authority of each political party, and in all primary elections, each group of candidates for an office, may designate to the county election commission, one representative each to meet with the county elecion commission, as herein provided, and it shall be the duty of said commission to permit said representative to assist in, and witness the count of the ballot in all the precincts of such county and each and all of said commissioners and said representatives, so designated, shall have equal and full opportunity to inspect and count said ballots, and it shall be unlawful for any county election commission or a majority thereof, to refuse to permit said representative to exercise full and free action in witnessing the count of said ballots and any interference with, or refusal, on the part of said election commission, or either of them, to permit said representatives, either of a political party, or of a candidate, or group of candidates, to have a free and full opportunity to witness and observe the counting of said ballots, shall be guilty of a high misdemeanor, and upon conviction thereof shall be fined not less than one thousand dollars nor more than two thousand dollars or imprisoned in the county jail not less than six months nor more than twelve months in the discretion of the jury.

The county election commission after fifteen days, provided no contest is filed in any race against any candidate, shall return the keys to said ballot boxes to the county court clerk, but if any such contest, either of nominations or elections, has been filed, said commissioners shall hold said keys subject to the orders of the court trying such contest.

This act, shall govern both the conducting, holding, counting of ballots, and certifying of returns, in general and primary elections.

Nothing herein contained shall be construed to prevent the election commissioners in counties having cities of the first, second and third classes from employing extra tabulators, who under their supervision and responsibility may expedite the counting of the ballots.

All laws in conflict herewith, are hereby repealed.

Said amendments as offered by the Committee are as follows, viz.:

Amend H. B. 77 in line 61 by inserting after the word "clerk" and before the word "and" the following: "or in any other room designated by the election commissioners".

Amend H. B. 77 in line 64 by striking out the words "clerk's office" and substituting therefor the following: "room where the count is being conducted".

Amend H. B. 77 in line 110 by inserting after the word "each" and before the word "group" the following: "candidate or".

Said amendments were each and severally agreed to.

Mr. McCarthy moved the Previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen
Henry H. Allen
H. T. Baker
W. T. Baker
G. M. Ballard
B. F. Bedford
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxton
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
G. W. Garrett
Eugene Gough
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
C. S. Matherly
Duke Mayfield
G. S. Milam
W. H. Miller
John B. Mollett
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams

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Those who voted in the negative were—

George W. Dunlap W. T. Rollo Charles Wylie
James Garnett, Jr. Chester D. Silvers —5

Resolved that the title thereof be as aforesaid.

Mr. McCarthy moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Rice moved that a bill entitled:

H. B. 37. An Act to amend and re-enact Section 4527-31, Carroll's Kentucky Statutes, 1934 Supplement, providing for scholarships and education privileges for World War Veterans.

Which was reported by the Committee on Education No. 1, on January 27.

With the expression of opinion that said bill ought not to pass.

Be advanced to a reading, the report of the committee to the contrary notwithstanding.

Said bill was read the first time at length and ordered to be placed on the Calendar.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 3. An Act to amend and re-enact the Title and Section 1 of an Act of the General Assembly which was adopt-

ed at its regular session in 1932, and entitled "An Act enabling cities of the third class to acquire, construct, operate and maintain electric light, heat and power plants and to issue revenue bonds of such cities to pay the cost thereof, payable solely from the revenues of such works without the incurrence of indebtedness of said cities", so as to extend the provisions thereof to cities of the second, fourth, fifth and sixth classes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Title and Section 1 of an Act of the General Assembly of the Commonwealth of Kentucky, and being Chapter 119 of the Acts of the General Assembly for the year 1932, be amended, extended and re-enacted, so that said title of said Act and said Section 1, thereof as so amended, extended and re-enacted will read as follows:

"An Act enabling cities of the second, third, fourth, fifth and sixth classes to acquire, construct, operate and maintain electric light, heat and power plants and to issue revenue bonds of such cities to pay the cost thereof, payable solely from the revenues of such works without the incurrence of indebtedness of said cities."

And Section 1, of said Act as so amended, extended and re-enacted will read as follows:

"Section 1. That cities of the second, third, fourth, fifth and sixth classes, whether organized under the general law or special charter law, and including such cities where the commission form of government has been adopted, are hereby authorized and empowered to purchase, establish, erect, maintain and operate electric light, heat and power plants, together with extensions and necessary appurtenances thereto, within or without the corporate limits under the provisions of this Act for the purpose of supplying such city

and the inhabitants thereof with electric light, heat and power."

§ 2. All laws and parts of laws in conflict herewith, are, to the extent of such conflict, hereby repealed.

Mr. Myers offered the following amendment to said bill, viz.:

Amend H. B. 3 by adding after the word "cities" the words "provided such cities secure a certificate of public convenience and necessity as provided by Chapter 145 of the 1934 Acts of the General Assembly."

Said amendment was disagreed to.

Mr. Hammons moved that said bill be made a Special Order of the Day for to-morrow at eleven o'clock A. M.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Hammons and Ward, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Ira W. Hulette	W. T. Rollo
Henry H. Allen	Leslie Larrimore	Ray O. Shehan
Jas. C. Carter	G. S. Milam	Henry Stewart
V. O. Chandler	Tyler Munford	Dr. H. S. Swope
Howard G. Early	Rodes K. Myers	R. Van Bever, Jr.
H. Myer Garner	Hobart Rayburn	
C. L. Hammons	L. K. Rice	—19

Those who voted in the negative were—

C. W. Anderson, Jr.	G. M. Ballard	Douglas Bolling
H. T. Baker	B. F. Bedford	Ollie J. Bowen
W. T. Baker	Reuben J. Boling	Wallace Brown

Dr. R. A. Byers	John M. Hunnicut	J. C. Ramey
Floyd Clark	Ben W. Johnson	Harry C. Records
Roscoe Claxton	J. H. Jones	Wade H. Riley
J. A. Coleman	O. C. Jones	Joe E. Robinson
Roy Conway	R. T. Kirkman	A. W. Ross
Herbert Cook	J. F. Ladd	Carl Scheben
Sam Dever	Robert E. Lee	Carl Schneider
Stanley S. Dickson	M. T. McCarthy	Dr. B. F. Shields
George W. Dunlap	T. B. McConnell	P. L. Sidebottom
Garland Embry	J. L. McDermott	Chester D. Silvers
Walter R. Fannin	Lloyd MacDonald	Bruce Sloan
Chas. P. Farnsley	W. F. McGary	H. C. Steely
T. P. Fitzpatrick	Elmer McGlothen	W. R. Tapp
G. W. Garrett	John Marshall	J. J. Thomas
James Garnett, Jr.	C. S. Matherly	S. J. Wagner
Eugene Gough	Duke Mayfield	Joseph L. Wall
Ben Grogan	W. H. Miller	Henry Ward
W. L. Hampton, Jr.	J. C. Nickell	L. R. Wells
Thomas W. Hines	Russell O'Neill	W. G. Williams
Price Holbrook	Mel Petry	Charles Wylie
Clyde S. Howard	A. W. Pfeiffer	—71

Mr. Ward moved the Previous Question.

Thereupon the Speaker announced, "Shall the Main Question be now put?"

Which was decided in the affirmative.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Russell O'Neill
W. T. Baker	Ben Grogan	Mel Petry
G. M. Ballard	W. L. Hampton, Jr.	A. W. Pfeiffer
B. F. Bedford	Thomas W. Hines	J. C. Ramey
Reuben J. Boling	Price Holbrook	Harry C. Records
Douglas Bolling	Clyde S. Howard	Wade H. Riley
Ollie J. Bowen	Ira W. Hulette	Joe E. Robinson
Wallace Brown	John M. Hunnicut	W. T. Rollo
Dr. R. A. Byers	Ben W. Johnson	A. W. Ross
Jas. C. Carter	J. H. Jones	Carl Scheben
V. O. Chandler	O. C. Jones	Carl Schneider
Floyd Clark	R. T. Kirkman	Ray O. Shehan
Roscoe Claxon	J. F. Ladd	Dr. B. F. Shields
J. A. Coleman	Leslie Larrimore	P. L. Sidebottom
Roy Conway	Robert E. Lee	Chester D. Silvers
Herbert Cook	T. B. McConnell	Bruce Sloan
Sam Dever	J. L. McDermott	H. C. Steely
Stanley S. Dickson	Lloyd MacDonald	W. R. Tapp
George W. Dunlap	W. F. McGary	J. J. Thomas
Howard G. Early	Elmer McGlothen	S. J. Wagner
Garland Embry	John Marshall	Joseph L. Wall
Walter R. Fannin	C. S. Matherly	Henry Ward
Chas. P. Farnsley	Duke Mayfield	L. R. Wells
T. P. Fitzpatrick	W. H. Miller	W. G. Williams
G. W. Garrett	John B. Mollett	Charles Wylie
James Garnett, Jr.	J. C. Nickell	

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Those who voted in the negative were—

F. T. Allen	Tyler Munford	Henry Stewart
Henry H. Allen	L. K. Rice	Dr. H. S. Swope
G. S. Milam		

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Resolved that the title thereof be as aforesaid.

Mr. Ward moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 190. An Act providing for the construction of a Court of Appeals building, and the financing thereof, and the creation of a Commission of the Court of Appeals Building, and authorizing it to govern, administer, and control the construction, financing, cccupancy, maintenance and renting of said building; defining the powers of said Commission; providing for the financing of said building by the issuance of negotiable bonds and for the retirement of said bonds from revenue collected from said building; providing for the renting thereof to certain officials of the Commonwealth, and the maximum rent to be charged therefor, and fixing the funds from which said officials shall pay said rent; and authorizing the conveyance of certain real estate to said Commission for the purposes of constructing said building upon same; and defining in general the duties of said Commission and declaring an emergency to exist.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That for purpose of providing a building and suitable and permanent offices for the Judges, Commissioner, and Attaches, of the Court of Appeals, Court Room, Conference Room, Law Library, Clerk of the Court of Appeals, and the Attorney General and his assistants, there is hereby created a Commission for construction of Court of Appeals Building, of five members, one of whom shall be Secretary of the Finance and Budgetary Control Board of the Commonwealth of Kentucky to be known as the Court of Appeals Building Commission. Said members shall be appointed by the Gov-

ernor of the Commonwealth of Kentucky and shall hold their office for four years from the first day of April next succeeding their appointment and until their successors are duly appointed and qualified, except that in case of a vacancy appointments shall be made in like manner as regular appointments, but such appointees shall hold office for the unexpired terms only.

§ 2. The Board shall hold its first meeting within thirty days after appointment of members and each member shall take an oath to faithfully discharge his duties. At this meeting a Chairman, Vice Chairman and Secretary shall be elected. Each Board shall appoint a Treasurer and such officers or employees as it may deem necessary to carry out the provisions of this act.

Before any person can be appointed a member he must have had a residence within the Commonwealth for two years, be at least (30) thirty years of age.

No member of the Board shall draw any salaries for services as such, but shall be reimbursed for necessary expenses made in going to and from each meeting of the Board. Such expense shall be paid out of the funds appropriated for the Commission, or received by it as rent from said building constructed and controlled by it.

§ 3. The government, administration and control of the construction, financing, occupancy, maintenance and renting of any building authorized to be constructed by this act, is hereby vested in said Board, which when its members have been appointed and qualified, shall constitute a body corporate and shall have perpetual succession with power to contract and be contracted with, to sue and be sued, to plead and be impleaded, to receive any legal mode of conveyance of property of any description, and to have and to hold and enjoy the same; to receive grants of money and expend the same for the use and benefit of the Court of Appeals Building, and to convey or rent any real estate or equipment be-

longing to it, but the proceeds therefrom to be used first in retiring any indebtedness of said Board, if any, and then for the use and benefit of the Court of Appeals Building; to make and use a corporate seal; to adopt by-laws, rules and regulations, to designate a depository for its funds and for bonds therefor.

Said Commission or Board is hereby empowered and authorized to acquire or purchase real estate and to erect, with necessary appurtenances, a building to be used for the purposes set forth in Section One of this Act, for the purpose of supplying the officials, set forth in said Section One, with suitable quarters and equipment.

§ 4. For the purpose of defraying the cost of acquiring such real estate, if any be necessary to be acquired, and to construct and equip such building, the Commission is hereby authorized to borrow money, not exceeding ($500,000.00) Five Hundred Thousand Dollars from the Public Works Administration or other agency of the Federal Government, or any financial institution at an interest rate, not exceeding (6%) six percent and to issue negotiable bonds, providing no such bonds shall be issued unless and until authorized by a resolution specifying the proposed undertaking, the amount of bonds to be issued and the maximum rate of interest and providing further that proposed building, appurtenances and equipment are to be acquired and constructed pursuant to the provisions of this Act.

All bonds under the provisions of this act may be issued bearing interest at a rate not exceeding (6%) six percent, payable semi-annually, and shall be executed in such manner and payable at such times, not exceeding forty years, from the date thereof, and at such place or places as such Commission shall determine.

All moneys received from any bonds issued pursuant hereto shall be applied solely to the establishment or erection of such buildings and necessary appurtenances thereto, provided such moneys may be used also to advance the payment

of the interest on bonds during the first three years following the date of such bonds. And there shall be and there is hereby created a statutory mortgage lien upon the buildings and appurtenances so acquired to and in favor of the holders of said bonds and each of them and to and in favor of the holders of the coupons of said bonds.

The buildings so acquired and the appurtenances thereto, shall remain subject to such statutory lien until the payment in full of the principal and interest of the bonds. Any holder of said bonds or of any of the coupons may, either at law or in equity, protect and enforce the statutory mortgage lien hereby conferred and may by suit, action, mandamus or other proceedings, enforce and compel performance of all duties required by this act, including the making and collecting of sufficient rates, the segregation of the income and revenue, and the application thereof.

At or before the issuance of such bonds the Commission, by resolution, shall set aside and pledge the income and revenue of such building into a separate and special fund to be used and applied in payment of the cost thereof and in the maintenance thereof, including a sufficient sum to pay the expenses of said Commission and to pay the cost of insuring such building and equipment against loss or damage by fire, windstorm or other calamity in such sums as may be acceptable to the purchaser or purchasers of such bonds.

Said resolution shall fix the rent to be imposed in connection with occupancy of such building and shall definitely determine and fix the amount of such income to be applied to maintenance, insurance, expense of Commission and necessary to meet the payment of interest and principal on said bonds. Such rent shall be equal to a sum sufficient to provide the payment of interest on all bonds and to create a sinking fund to pay the principal thereof as and when the same becomes due and to provide for the operation and maintenance thereof. Such rents shall be revised from time to time so as to produce the sum annually required.

Such Commission may issue refunding bonds for the purpose of providing funds for the payment of outstanding bonds, in accordance with the procedure prescribed in act, secured to the same extent with the same source of payment as the bonds which shall have been thereby refunded.

§ 5. Such Commission in acquiring any land or building under this act, may provide by resolution any such provision and stipulation for the administration of the building and the income and for the security of the bondholders as the Commission may deem necessary; provided, that the sinking fund, which shall be provided by resolution as hereinbefore required, shall be deposited in a depository selected by such Commission which deposit, where practicable, may be continuously secured by a pledge to the Commission of direct obligations of the United States of America, exclusive of interest, at all times equal to the amount on deposit in such account, or in such other manner acceptable to the purchaser or holder of such bonds. Such securities shall either be held by the Commission or by a trustee satisfactory to it. Such sinking fund may be invested in direct obligations of the United States of America.

Such bonds shall be obligations only of such Commission, payable from the revenues of such building provided by rental, as hereinbefore provided in this act, and in no event shall they be considered a debt for which the full faith and credit of the Commonwealth is pledged. Any such resolution shall constitute a contract between the Commission with the purchaser or holder of the bond or bonds, coupon or coupons and shall be binding in all respects upon such Commission, and their successors, which contract may be enforced in the manner and form hereinabove provided.

§ 6. No proceeding shall be required for the construction or acquisition of any such buildings hereunder, except as provided in this act, any provision of the laws of the Commonwealth notwithstanding.

§ 7. Said Commission shall rent said building to the Court of Appeals, the Clerk of the Court of Appeals, the Attorney General and the Law Librarian, for a proportionate part of the sum necessary as provided for in Section 4 of this act, in accordance with the space occupied by such respective officials.

The Court of Appeals shall pay from its budgeted funds the rent so fixed as its proportionate part, the Clerk of the Court of Appeals shall pay from his budgeted funds the rent fixed as his proportionate part, the Attorney General shall pay from his budgeted funds the rent so fixed as his proportionate part, and the Law Librarian shall pay from her budgeted funds the rent so fixed as her proportionate part.

Said officials shall occupy upon the completion of said building the quarters so rented for the period of forty years and the rent shall be paid from their respective budgeted funds until the bonded debt has been retired or for said period of forty years.

§ 8. Upon the retirement of said bonded and any other indebtedness on said building, the Commission shall cease to function and their offices by resolution of the Commission setting forth the debt is paid and their duties completed shall automatically abolish the Commission upon a copy thereof being filed with the Secretary of State of the Commonwealth.

§ 9. Immediately upon the qualification of the Commission, said Commission shall employ a landscape arhcitect and building architect to consult with them and to prepare plans for the construction of, and location of, said building on the Capitol grounds, or properly adjacent thereto, and shall provide in the contracts with said architects that said building shall be so located and so constructed as to harmonize with the architecture of the Capitol building and the Governor's Mansion. And further they shall provide in said contract that the fee of such architects shall be contingent upon the actual construction of the building.

Upon said building being located, and the grounds sufficient for its location being determined, said Commission shall deliver a survey of such ground, and a description thereof, to the Board of Public Property of the Commonwealth of Kentucky, and the Board of Public Property is hereby authorized for and on behalf of the Commonwealth of Kentucky to execute a deed conveying title in fee simple to such property so described to the Commission created by this act, with the provision in said deed that when the bonded indebtedness against said property is fully paid, that the title of said real estate and the building erected thereon shall revert to, and become the property of the Commonwealth of Kentucky.

§ 10. The sections and provisions of this act are separate and are not matters mutually essential one to the other, and it is the intention to confer the whole or any part of the powers herein provided for, and if any of the sections or provisions or parts thereof are for any reason illegal, it is the intention that the remaining sections and provisions or the parts thereof shall remain in full force and effect.

§ 11. The P. W. A. funds being rapidly exhausted and the State may, unless application is quickly made, lose its opportunity to obtain an outright grant of 45% of the total cost of construction, and the Capitol Building being fully occupied and numerous State agencies renting buildings in the City of Frankfort, an emergency is declared to exist and this act shall become effective immediately upon its adoption by the General Assembly and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Eugene Gough	Rodes K. Myers
C. W. Anderson, Jr.	Ben Grogan	J. C. Nickell
H. T. Baker	Jas. T. Hamilton	Russell O'Neill
W. T. Baker	C. L. Hammons	A. W. Pfeiffer
G. M. Ballard	W. L. Hampton, Jr.	J. C. Ramey
B. F. Bedford	Thomas W. Hines	Hobart Rayburn
Reuben J. Boling	Price Holbrook	Harry C. Records
Douglas Bolling	Clyde S. Howard	L. K. Rice
Ollie J. Bowen	Ira W. Hulette	Wade H. Riley
Wallace Brown	John M. Hunnicut	Joe E. Robinson
Dr. R. A. Byers	Ben W. Johnson	W. T. Rollo
Jas. C. Carter	J. H. Jones	Carl Scheben
V. O. Chandler	O. C. Jones	Carl Schneider
Floyd Clark	R. T. Kirkman	Ray O. Shehan
Roscoe Claxton	J. F. Ladd	Dr. B. F. Shields
J. A. Coleman	Leslie Larrimore	P. L. Sidebottom
Roy Conway	Robert E. Lee	Chester D. Silvers
Herbert Cook	M. T. McCarthy	Bruce Sloan
Harry Davis	T. B. McConnell	H. C. Steely
Sam Dever	J. L. McDermott	Henry Stewart
Stanley S. Dickson	Lloyd MacDonald	Dr. H. S. Swope
George W. Dunlap	W. F. McGary	W. R. Tapp
Garland Embry	Elmer McGlothen	J. J. Thomas
Walter R. Fannin	C. S. Matherly	S. J. Wagner
T. P. Fitzpatrick	Duke Mayfield	Joseph L. Wall
H. Myer Garner	G. S. Milam	Henry Ward
G. W. Garrett	W. H. Miller	L. R. Wells
James Garnett, Jr.	John B. Mollett	W. G. Williams
Ferd A. Gnau	W. E. Mull	Charles Wylie

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There voted in the negative—

R. Van Bever, Jr. —1

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Dr. Shields moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, JANUARY 30, 1936.

The House was opened with prayer by the Reverend Ross E. Dillon of the First Baptist Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. T. Allen	George S. Clay	James Garnett, Jr.
Henry H. Allen	J. A. Coleman	Ferd A. Gnau
C. W. Anderson, Jr.	Roy Conway	Eugene Gough
H. T. Baker	Herbert Cook	Ben Grogan
W. T. Baker	Harry Davis	Jas. T. Hamilton
G. M. Ballard	Sam Dever	W. L. Hampton, Jr.
B. F. Bedford	Stanley S. Dickson	Thomas W. Hines
Reuben J. Boling	George W. Dunlap	Price Holbrook
Douglas Bolling	Howard G. Early	Clyde S. Howard
Ollie J. Bowen	Garland Embry	Ira W. Hulette
Wallace Brown	Clarence E. Evans	John M. Hunnicut
Dr. R. A. Byers	Walter R. Fannin	Ben W. Johnson
Jas. C. Carter	Chas. P. Farnsley	J. H. Jones
V. O. Chandler	T. P. Fitzpatrick	O. C. Jones
Floyd Clark	H. Myer Garner	R. T. Kirkman
Roscoe Claxton	G. W. Garrett	J. F. Ladd

Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
C. S. Matherly
Duke Mayfield
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

Mr. Davis moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Wells moved that the privilege of the floor be extended to Messrs. Davis and Osborne.

Said motion was agreed to.

Mr. Garner moved that the privilege of the floor be extended to Mr. and Mrs. Ira L. Pittman of Casey County.

Said motion was agreed to.

Mr. Garnett moved that the privilege of the floor be extended to Mr. George Wetherby.

Said motion was agreed to.

Mr. Silvers moved that the privilege of the floor be extended to Mr. Gleen Weiman of Lexington.

Said motion was agreed to.

Mr. Wagner moved that the privilege of the floor be extended to Mr. Tom Logan.

Said motion was agreed to.

Mr. Harry Davis moved that the privilege of the floor be extended to Jessie K. Lewis.

Said motion was agreed to.

Mr. Hamilton moved that the privilege of the floor be extended to Miss Carrie Riney.

Said motion was agreed to.

Mr. Carter moved that the privilege of the floor be extended to Mr. Frank W. Jones.

Said motion was agreed to.

Mr. Farnsley offered the following resolution, viz.:

Resolution approving of the recent reciprocal trade agreement between the United States of America and the Dominion of Canada.

Be It Resolved by the House of Representatives of the Commonwealth of Kentucky, In the year of Our Lord the One Thousand Nine Hundred and Thirty-Sixth, and of the Republic the One Hundred and Forty-Seventh, and of the Commonwealth the One Hundred and Forty-Fourth:

That the recent action of the government of the United

States of America in establishing a reciprocal trade agreement with the Dominion of Canada be hereby approved.

Whereas, an increase in the volume of trade between the United States and any country can only add to the prosperity and well-being of our people, therefore

Be It Resolved by the House of Representatives of the Commonwealth of Kentucky:

That we approve of the reciprocal trade agreement with the Dominion of Canada, and strongly urge that our government in Washington continue to labor to bring about further agreements of this nature.

Be It Further Resolved, That copies of these be sent to His Excellency, the President of the United States; His Excellency, the Governor of the Commonwealth; His Excellency, the Governor-General of the Dominion of Canada; and the Honorable Cordell Hull, Secretary of State.

Said resolution was adopted.

Dr. Shields moved that the session of today be extended indefinitely.

Said motion was agreed to.

At the instance of the Committee on Rules the following bills were introduced, ordered printed and referred as follows, viz.:

Upon a call of the Counties and Legislative Districts, the following bills were introduced ordered printed and referred as follows:

By Mr. Scheben:

H. B. 500. An Act to place the county police in counties containing cities of the second class under civil service; to

provide rules and regulations for their examination and to control and regulate their selection, qualifications, promotion and discharge; to provide for and establish a board of commissioners with full power and authority to carry out the provisions of this Act; and to provide for the appointment of said commissioners, their qualifications, powers, duties, and the length of their term, and their compensation.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. In each county containing a city of the second class in this Commonwealth, a board of civil service commissioners may be established, which shall have full and sole power and authority to examine, classify and select as eligible for appointment or promotion, the members of the county police for said counties.

§ 2. Said board shall be called the County Board of Civil Service Commissioners for the County of ..... said Board shall be appointed by the county judge of the county. The members of said board shall be freeholders of the county and shall have been electors of said county for more than five years preceding their appointment; they shall be not more than thirty years of age and not related to the county judge or any member of the Fiscal Court, by blood or marriage.

Said commissioners shall be appointed for a term of one, two and three years respectively, and as the term of each of said commissioners shall expire, there shall be one commissioner appointed each year for a term of three years; vacancies in said board shall be filled for the unexpired term in the same manner as the original appointments are made. The members of said board shall qualify by taking an oath to faithfully perform their duties according to law and that

they will not engage in any political activity in connection with the duties of their office.

§ 3. Said board shall make proper rules and regulations for the examination, both physically and mental, the selection, qualifications, promotion and cause for discharge, of all applicants for members of the county police force, and no applicant for said police force or member of said police force shall be selected, appointed, promoted or discharged from said police force, for any other reason or in any other manner, except in accordance with such rules and regulations and in accordance with the provisions of this Act.

The following provisions of this Act shall govern said board and shall be incorporated in the rules and regulations adopted. Each applicant for said county police force shall be a qualified voter and resident of the county in which he applies; he shall be able to read and write and understand the English language; no one shall be appointed, accepted, promoted, or reduced in grade, unless he is well known to be a man of sobriety and integrity and has been an orderly, law-abiding citizen.

No one shall be appointed, accepted, promoted or reduced in grade on account of or by reason of any political, partisan service rendered by him, or by reason of or on account of any political sentiment or affiliations.

No one shall be appointed, accepted, promoted or reduced in grade, by reason of any political influence used either for or against him.

No appointment or promotion shall be as a reward for political activity, nor be obtained by political service or campaign contribution to campaign funds.

No applicant or member of said police force shall pay or collect any assessments made by any political party or organization, nor contribute to political campaign funds or collections, nor be unduly active in politics, or work for the election of any candidate for office.

The examination and qualifications provided for in this Act, shall not apply to the members of any such county police force, at this time, who have been continuously in said service for a period of 2 years.

§ 4. No member of the county police force shall be removed from the force, reduced in grade or pay, for any reason except inefficiency, misconduct, insubordination or violation of law or of any of the provisions of this Act, or of the rules and regulations as may be adopted by the board of civil service commissioners.

To Committee on Rules.

By Mr. Shields:

H. B. 501. An Act to repeal and re-enact Section 388 of the Kentucky Statutes, relating to the procurement and payment of record books.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 388, Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby repealed and the following enacted in lieu thereof, namely:

The record books rqeuired by circuit and county court clerks shall be procured by the clerk upon the order of the court of which he is clerk, and shall be paid for by the state as now provided.

To Committee on Rules.

By Mr. Chandler:

H. B. 502. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of

Kentucky a road beginning at Shady Grove highway at the Griffith Place, and extending in a southern direction to Pleasant Hill Church in Crittenden County, a distance of approximately a mile and a quarter.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the commonwealth of Kentucky a road beginning at Shady Grove highway at the Griffith Place, and extending in a southern direction to Pleasant Hill Church in Crittenden County, a distance of approximately a mile and a quarter.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

To Committee on Rules.

By Mr. Chandler:

H. B. 503. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Ohio River in the town of Weston in Crittenden County, and running in a southern direction, and known as the Old Flynns Ferry road, by the way of Mattoon Village and Consolidated School through the village of Tribune, continuing by the way of Piney Camp Ground to the Caldwell County line, a distance of approximately twenty-five miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Ohio River in the town of Weston in Crittenden County, and running in a southern direction, and known as the Old Flynns Ferry road, by the way of Mattoon Village and Consolidated School through the village of Tribune, continuing by the way of Piney Camp Ground to the Caldwell County line, a distance of approximately twenty-five miles.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

To Committee on Rules.

By Mr. Fannin:

H. B. 504. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Elk Fork, Morgan County, on the West Liberty-Paintsville road; thence up the Laurel Fork; thence crossing the ridge; thence down the Middle Fork of Little Sandy to Fannin, Elliott County, Ky., connecting with the Sandy Hook-Louisa road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road extending at Elk Fork, Morgan County on the West Liberty-Paintsville road; thence up the Laurel Fork; thence crossing the ridge; thence down the middle fork of

Little Sandy to Fannin, Elliott County, Ky., connecting with the Sandy Hook-Louisa road.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

By Mr. MacDonald:

H. B. 505. An Act defining the practice of law and who may engage therein, including rules and regulations for the performance of legal services and duties.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

It shall be unlawful for any corporation, voluntary association, or person other than a duly licensed attorney at law to practice or appear as an attorney at law for any person other than themselves in any court of this state or before any judicial body, or make it a business to practice as an attorney at law, for any person other than themselves in any of said courts, or to hold themselves out to the public as being entitled to practice law, or to render or furnish legal services or advice, or to furnish attorneys or counsel or to render legal services of any kind in actions or proceedings of any nature or in any other way or manner, or in any other manner to assume to be entitled to practice law, or to assume or use or advertise the title of lawyers or attorneys, attorney at law, or equivalent terms in any language in such manner as to convey the impression that they are entitled to practice law, or to furnish legal advice, services, or counsel, or to advertise that either alone or together, with or by or through any person whether duly and regularly admitted attorney-at-law or not, they have, own, conduct, or maintain an office for the practice of law, or for furnishing legal advice, services

or counsel. It shall be unlawful further for any corporation or voluntary association or person to solicit themselves, or by or through their officers, agents, or employees for themselves or any other person, firm, or corporation, any claim or demand for the purpose of bringing an action thereon or of representing as attorney-at-law, or for furnishing legal advice, services, or counsel to a person sued or about to be sued in any action or proceeding or against whom an action or proceeding has been or is about to be brought or who may be affected by an action or proceeding which has been or may be instituted in any court or before any judicial body, or for the purpose of so representing any person in the suit of any civil remedy: Provided: however, that nothing in this section shall be construed to prohibit a person, association, or corporation lawfully engaged in the business of conducting a mercantile or collection agency or adjustment bureau from employing an attorney at law to give legal advice concerning or to prosecute actions in courts which relate to the adjustment or collection of debts and accounts only. The fact that such officer, trustee, director, agent, or employee shall be a duly and regularly admitted attorney at law, shall not be held to permit or allow any such corporation or voluntary association to do the acts prohibited herein, nor shall such fact be a defense upon the trial of any person mentioned herein for a violation of the provisions of this section: Provided, nevertheless, nothing herein shall prevent any court having jurisdiction thereof from punishing such corporation or its officers for contempt. This section shall not prohibit a person, corporation, or voluntary association from examining the record of titles to real property, nor shall it prohibit a person, corporation, or voluntary association from preparing and issuing abstracts of title from such examination of records and certifying to the correctness of same, nor from issuing policies of insurance on titles to real or personal property, nor from employing an attorney or attorneys in

and about their own immediate affairs or in any litigation to which they are or may be a party, nor shall it apply to organizations organized for benevolent or charitable purposes: Provided, however, that nothing herein contained shall authorize any person, corporation, or voluntary association, other than an attorney at law, to express, render, or issue any legal opinion as to the status of the title to real or personal property. Nothing herein contained shall be construed to prevent a person, corporation, or voluntary association from furnishing to any person, lawfully engaged in the practice of law, such information or such clerical services in and about his professional work as, except for the provisions of this section, may be lawful, provided that at all times the lawyers receiving such information or such services shall maintain full professional and direct responsibility to his clients for the information and services received. But no person, corporation, or voluntary association shall be permitted to render any services which cannot lawfully be rendered by a person not admitted to practice law in this State, nor to solicit directly or indirectly professional employment for a lawyer.

The practice of law in this State is defined as representing litigants in court and the preparation of pleadings and other papers incident to any action or special proceedings in any court or other judicial body; conveyancing; the preparation of legal instruments of all kinds whereby a legal right is secured; the rendering of opinions as to the validity or invalidity of titles to real or personal property; the giving of any legal advice; and any action taken for others in any matter connected with the law: Provided, however, that nothing herein contained shall prevent any corporation, voluntary association, or individual from doing any act or acts hereinabove set out to which said persons are a party. Nor shall any bank be prohibited from giving any advice to its customers in matters incidental to banks or banking. Nor shall any person, firm, or corporation be prohibited from

drawing any legal instrument for another person, firm or corporation, providing it is done without fee and solely at the solicitation and request and under the direction of the person, firm, or corporation desiring to execute such instrument: Provided, that a title-insurance company may prepare such papers as it thinks proper, or necessary, in connection with a title which it proposes to insure, in order, in its opinion, for it to be willing to insure such title, where no charge is made by it for such papers.

(All laws or parts of laws in conflict herewith are hereby repealed to the extent of said conflict.)

By Mr. Mayfield:

H. B. 506. An Act to repeal subsections 2380b-9, 2380b-11, 2380b-12, 2380b-33 and 2380b-51 of Section 2380b, Carroll's 1930 Kentucky Statutes and re-enacted said subsections, providing mode of electing public officers for levee, drainage and reclamation districts, fixing the pay of district commissioners and generally relating to reclamation of lands.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That subsection 2380b-9 of Kentucky Statutes, 1930 Edition, be repealed and re-enacted so that same, when thus re-enacted, shall read as follows:

2380b-9. The court shall then set the report of the board of viewers for a hearing and trial upon exceptions and objections thereto. The court shall have the right to continue the proceedings from term to term and cause the clerk to give the proper notice if he has failed to do so, to the end that all persons owning land and other property in the proposed district or affected thereby shall be before the court. Any owner of real estate or other property in said proposed district, or whose lands or other property outside of said dis-

trict which will be affected thereby, may file his objections and exceptions showing reasons why the district should not be established or organized, but the same must be filed within thirty days after the date of the notice by the clerk herein provided for. Such objection shall be limited to a denial of facts alleged in the petition, or facts stated in the report of the viewers. The court shall have the right to continue the hearing from time to time in the furtherance of justice as occasion demands. The report of the board of viewers shall be taken as prima facie correct. If the court shall find that the land or other property described in the report of viewers shall not be formed into a district, as prayed for in the petition, the petition shall be dismissed and the costs adjudged against the petitioners. No petitioner shall be allowed to dismiss the petition after the viewers are appointed without the written consent of the owners of land owning a majority in acreage of land described in the said petition. If the court should find that the report of the viewers does not correctly describe the body of land involved in the proposed improvement, the proceedings may be again referred to the board of viewers, with directions to report at a date certain to be then fixed by the court, to which time the proceedings shall be continued, and no additional notice need be given, unless additional lands or other property shall be embraced in the amended report in which case the hearing shall be again fixed by the court and additional notice given and published as herein above provided for in the first instance, except such notice shall relate only to such additional persons named as owners of land and property and the additional land and property embraced in the amended report. The hearing shall then be had, and as if the land and property added had been embraced in the report originally. If the court overrules all objections, and finds the territory or some part thereof should be organized into a district as prayed for in the petition, or as reported by the board of

viewers, the court shall establish the district by entering an order for judgment substantially as follows:

The Commonwealth of Kentucky. In the ..... court, ...county, ...term, 19.....

In the matter of the petition of..... et al., for the establishment and organization of a (drainage) (levee) (reclamation) district, in the county or counties of ....., ...

Now on this, the ..... day of ....., 19..... comes on for hearing and trial the exceptions and objections to the report of the board of viewers herein, in and by which proceeding it is sought to establish a (drainage) (levee) (reclamation) district under and by virtue of an act of the general assembly relating to drainage, and it appearing to the court that the petition and the report of the board of viewers are each in compliance with the law, and it further appearing to the court from an inspection of the certificate of the clerk of this court that notice has been given as required by law, and that all persons, corporations, cities, towns and municipalities owning lands, easements or other property within the territory proposed to be incorporated into said district are before the court and that the court now has jurisdiction over said persons named in said report, and over the lands, easements and other property in the following described territory, viz.: (Here insert description of territory comprising district), and it appearing to the court that the following named persons have heretofore filed objections and exceptions to said viewers' report, viz.: (Here insert names of all persons who have so filed objections and exceptions), and the court having heard the evidence and argument of counsel and being sufficiently advised, it is now adjudged by the court that said objections and exceptions be and they are hereby overruled, and it is now adjudged by the court that the territory above described herein, be and the same is de-

clared and adjudged established, and that same be organized into a (drainage) (levee) (reclamation) district, and a body corporate, under the name and title of (name of district). This proceeding is now ordered into the hands of the board of drainage commissioners of..... district, to be by them organized into a (drainage) (levee) or (reclamation) district, according to law. The clerk of this court is hereby ordered and directed to issue and deliver to said board of drainage commissioners a certified copy of this judgment. This proceeding is now continued for further proceedings, such as may be necessary to be had herein.

.....Judge.

.....Court.

The judgment shall be spread upon the order book of the court by the clerk as other judgments.

§ 2. That subsection 2380b-11 of Kentucky Statutes, 1930 Edition, be repealed and re-enacted so that same, when thus re-enacted, shall read as follows:

2380b-11. As soon as the judgment has been rendered and entered establishing a drainage, levee, or reclamation district, as provided for in the preceding sections of this act, the court shall make and cause to be entered an order referring the said district to the board of drainage commissioners elected by the land holders of the district as hereafter provided, and shall also, at the same time, enter an order continuing the said proceedings until some day certain in that term, or generally to the next term of the said court, and all persons named in the clerk's notice and before the court shall take notice of all continuances of the said proceedings, without further or other notice as the notice by the clerk in reference to the establishment of the said district shall bring all parties thus named in said notice into court for all purposes and at all terms of the court, and at all times in all terms of the court to which the proceedings may be con-

tinued; and if no order be entered by the court continuing the said proceedings, the said proceedings will be by law continued from time to time until the improvements are complete and paid for as provided in this act, with like effect as if the order of continuance had been entered.

§ 3. That subsection 2380b-12 of Kentucky Statutes, 1930 Edition, be repealed and re-enacted so that same, when thus re-enacted, shall read as follows:

2380b-12. In all counties, towns, and cities in this state, where a public ditch, sewer, drain, conduit, levee or other improvements of a similar character shall have been established under pre-existing laws, or may hereafter be established under this act, it shall be the duty of the county judge of that county to divide each drainage, levee or reclamation district which may have been established by the courts of the county into three precincts as nearly equal in acreage as may be practicable, and said county judge shall hold an election for each precinct thus formed, allowing each land holder to vote in proportion to the number of acres he owns in the district or in case judgment has been confirmed establishing benefits to lands in said levee, reclamation or drainage district then each land holder shall vote in proportion to the confirmed assessed benefit to his or her land in said district as provided for election of corporation managers by Section 207 of Kentucky Constitution, the assessed benefit to correspond to shares of stock as provided in said section; each $100.00 or fraction thereof shall constitute a share. Said commissioners shall cast lots as to which precincts first term shall be one, two and three years respectively and there shall be made a record on the order book of the court as to the commissioners term for each precinct as thus determined and thereafter each year the county judge of said county shall hold an election one month before the commissioner's term for any drainage, levee or reclamation district shall expire. The vote shall be taken as above provided at the first election and after the first term

as above provided shall expire the commissioner's term for each drainage levee or reclamation district precinct shall be three years. Each of the said drainage commissioners, when appointed, shall execute bond for the faithful performance of their duties in the penal sum of twenty-five hundred dollars ($2,500.00), and shall be sworn to faithfully perform the duties of their position to the best of their ability.

Vacancies on said board shall be filled temporarily by the county judge of the county by appointment and there shall be a special election held by said county judge after 10 days' published notice, to fill unexpired term of drainage commissioners for any precinct as soon as practicable after a vacancy exists in the office of commissioner for any levee, reclamation or drainage precinct. Said election shall be held as above provided for the first term election. Immediately upon their election and qualifications, said board shall become, and is hereby created, a body corporate, under the name and style of the "Board of drainage commissioners of .....district" (the blank to be filled with the name of the district), with the right to acquire, hold, encumber, sell and convey such real estate and personal property as shall be necessary to the conduct of its affairs, to sue and to be sued, contract and be contracted with, and shall possess such other powers and rights as usually pertain to corporations, or as may be necessary for carrying on their work, under the provisions of this act. It shall have and use a corporate seal and may change the same at pleasure. Said board shall elect from among its members a president and vice president. A secretary for the board shall be elected for a term of three years by the land owners of the levee, reclamation or drainage district after the manner above provided for election of commissioners. Said secretary shall not be a member of the board or hold any other public office in the Commonwealth. The board of drainage commissioners shall furnish the secretary of the board of drainage commissioners the necessary office room, furniture, fixtures, stationery, maps,

plats, typewriter and postage. The land holders shall also elect some responsible person who shall not be a member of the board, or holding any other public office, treasurer of the district. Said board of drainage commissioners shall meet as often as necessary for the proper discharge of duties, at such place as the said duties may require, within the county or counties in which the district or any part thereof lies. The said board shall keep complete records of its proceedings, which records shall be public records and at all times open to the inspection of the public. Said commissioners shall each be paid full compensation for their services the sum of three ($3.00) dollars per day, while actually engaged in the performance of their duties, as well as all traveling expenses incurred in attending any meeting of the board, or in the performance of their duties under this act, to be paid out of the funds of the district for which they may act.

§ 4. That subsection 2380b-33 of Kentucky Statutes, 1930 Edition, be repealed and re-enacted so that same, when thus re-enacted, shall read as follows:

2380b-33. At the regular time of election of drainage commissioners for any precinct of a drainage district there shall be an attorney elected for a term of one year by the land holders of the district voting in same manner as the vote is heretofore provided to be taken in the election of drainage commissioners. A special election may be held at any time there is a vacancy of attorney, or at any time land holders having fifty per cent of the whole assessed benefit of the district assessed against land they own, may petition the county judge, of the county wherein the district is being or was organized, for said special election. Said attorney shall act for the district, advise the board of drainage commissioners, conduct all legal proceedings and suits in court where the district is a party or interested, and shall in all legal matters advise the said board of drainage commissioners, all officers, employees or agents of the said district and board, and gen-

erally look after and attend to all matters of a legal nature for said board and district. When the said board may deem it necessary they may, by and with the advice of said attorney and under the like terms and conditions as above set forth, employ other attorneys.

§ 5. That subsection 2380b-51 of Kentucky Statutes, 1930 Edition, be repealed and re-enacted so that same, when thus re-enacted, shall read as follows:

2380b-51. At any time when the owners of land assessed with fifty per cent of the assessed benefit of the district may petition the county judge of the county wherein the district is being or was organized, for an election to be held to elect a superintendent of drainage for any district, said county judge shall have notice published informing land holders of the district, and shall conduct election of superintendent of drainage as heretofore provided for election of drainage commissioners. Said superintendent of drainage shall be subject to the orders of the board, and shall look after and keep clean, open and in good condition, all public ditches, sewers, drains, creeks, levees, and other improvements, established under this or any pre-existing law, or under the charge of said board. Such person shall furnish bond to be approved by the board, in such penal sum as the board shall prescribe, conditioned upon the honest and faithful performance of his duties, the same to be in favor of the board of drainage commissioners and for the benefit of any party in interest. If no superintendent is appointed, the work herein provided for may be done by the chief engineer, or such other employees of the board of drainage commissioners as the board may order or direct. Such superintendent of ditches, with the approval and consent of the board of drainage commissioners, may employ such labor and assistants in the performance of his duties as may be necessary. All expenses incurred shall be reported by such superintendent, or other employee, to the board of drainage commissioners, in which

report shall be shown the ditch, drain or other improvement upon which said work was done or expense incurred.

§ 6. All acts or parts of acts in conflict herewith are hereby repealed.

§ 7. Whereas, the provisions of this act will enable the land holders who are paying all the expenses and who are familiar with the physical facts and needs of reclamation district corporations, to be able to exert some influence toward promoting the solvency of and avoiding the uncertainty of investment in property within reclamation districts, an emergency is hereby declared to exist and this act shall take effect immediately upon its passage and approval by the Governor.

By Mr. Mayfield:

H. B. 507. An Act to amend, revise, and re-enact subsection 3 of Section 4019a-10 of Carroll's Kentucky Statutes, 1930 Edition, same being subsection 3 of Section 4 of Chapter 116 of the Acts of the General Assembly of 1924, and subsection 1 of Section 4019a-16 of Carroll's Kentucky Statutes, 1930 Edition, same being Section 1 of Chapter 168 of the Acts of the General Assembly of 1926, and Section 4026, of Carroll's Kentucky Statutes, 1930 Edition, same being Section 8 of Chapter 22 of the Acts of the General Assembly of 1906, relating to revenue and taxation, designating what classes of property shall be subject to local taxation and what classes of property shall be subject to state taxation, fixing the annual tax rate on unmanufactured agricultural products, subject to taxation, other than unmanufactured agricultural products actually on hand at the plants of manufacturing concerns for the purpose of manufacture, and other unmanufactured agricultural products in the hands of the producer or in the hands of any agent or agency of the producer to which said products have been conveyed or assigned for the purpose of sale by the producer, and designating what property is exempt from taxation.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Subsection 3 of Section 4019a-10 of Carroll's Kentucky Statutes, 1930 Edition, same being Subsection 3 of Section 4 of Chapter 116 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1924, approved March 4, 1924, be and the same is hereby amended, revised and re-enacted by striking therefrom the following words: "and unmanufactured agricultural products in the hands of the producer or in the hands of any agent or agency of the producer to which said products have been conveyed or assigned for the purpose of sale by the producer", so that when said Subsection is so amended, revised and re-enacted the same shall read as follows:

(3) Machinery and products in course of manufacture of persons, firms, or corporations, actually engaged in manufacturing, and their raw material actually on hand at their plants for the purpose of manufacture. Provided that persons, firms or corporations actually engaged in the printing, publication and distribution of a newspaper or newspapers, or operating a job printing plant, shall be deemed to be actually engaged in manufacturing within the meaning of this Act.

§ 2. That Subsection 1 of Section 4019a-16, Carroll's Kentucky Statutes, 1930 Edition, same being Section 1 of Chapter 168 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1926, approved February 26, 1926, be and the same is hereby amended, revised, and re-enacted by striking therefrom the following words: "and unmanufactured agricultural products in the hands of the producer or in the hands of any agents or agency of the producer to which said products have been conveyed or assigned for the purpose of sale by the producer", so that when said Section

is so amended, revised and re-enacted the same shall read as follows:

(1) That an annual ad valorem tax of fifty cents on each one hundred dollars of the fair cash value of all unmanufactured agricultural products subject to taxation, shall be paid by the owner, person or corporation assessed, which tax shall be for state purposes only, and in lieu of all other ad valorem taxes by the state, or any county, city, town or other taxing district, on such unmanufactured agricultural products wherever grown, except that cities and counties of the state may each impose an ad valorem tax of not exceeding fifteen cents on each one hundred dollars of the fair cash value of all such unmanufactured agricultural products subject to taxation within their limits, provided that unmanufactured agricultural products actually on hand at the plants of manufacturing concerns for the purpose of manufacture shall be subject to state taxation only.

§ 3. That Section 4026 of Carroll's Kentucky Statutes, 1930 Edition, same being Section 8 of Chapter 22 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1906, be and the same is hereby amended, revised and re-enacted by adding thereto the following words: "and unmanufactured agricultural products in the hands of the producer or in the hands of any agent or agency of the producer to which said products have been conveyed or assigned for the purpose of sale by the producer", so that when said Section is so amended, revised and re-enacted the same shall read as follows:

Section 4026. *Property exempt from taxation.*

The following property is exempt from taxation: Public property used for public purposes; places actually used for religious worship, with the grounds attached thereto, and used and appurtenant to the house of worship, not exceeding one-half acre in the cities or towns, and not exceeding two acres in the country; places of burial not held for private or

corporate profit; institution of purely public charity and institutions of education not used or employed for gain by any person or corporation, and the income of which is devoted solely to the cause of education; public libraries, their endowments, and the income of such property as is used exclusively for their maintenance; all parsonages or residences owned by any religious society, and occupied as a home, and for no other purpose, by the minister of any religion with not exceeding one-half acre of ground in towns and cities, and two acres of ground in the country, appurtenant thereto; household goods or other personal property of a person with a family not exceeding two hundred and fifty dollars ($250.00) in value; crops grown in the year in which the assessment is made and in the hands of the producer; and unmanufactured agricultural products in the hands of the producer or in the hands of any agent or agency of the producer to which said products have been conveyed or assigned for the purpose of sale by the producer.

By Mr. R. J. Boling:

H. B. 508. An Act to authorize judges of the county courts to postpone rendition of judgment, and to probate the offenders and enforcement of judgment rendered in misdemeanor cases.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

In prosecutions for misdemeanors in the county courts or quarterly courts of this state where the defendant has pleaded or been found guilty, and it appears to the satisfaction of the court that the character of the defendant and circumstances of the case are such that he is not likely again to engage in an offensive course of conduct, and that the public good does not demand or require that he shall suffer the

penalty imposed by law, such court may postpone the rendition of judgment on such terms and conditions as the court deems proper. Whenever in the opinion of the court the sentence should no longer be postponed, the court shall have power to cause a warrant to issue for the defendant and he may thereupon on his arrest be sentenced and such sentence carried into immediate execution.

By Mr. R. J. Boling:

H. B. 509. An Act creating certain duties for the County Board of Education and prescribing certain rules pertaining to the consolidation and/or abolishment of subdistrict of county school system.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That subdistricts, or parts of subristricts of any county school system may be consolidated or abolished as prescribed by law.

But that the county board of education shall authorize the county supernntendent to call a special election, 15 days after they receive a petition signed by ten persons who are residents of any subdistrict, affected by such consolidation or abolishment. Such election shall be held according to the provisions as provided in the Statute for the election of subdistrict trustees. And that if a majority of the voters in the said subdistrict shall object to the consolidation or abolishment of said subdistrict, or part of subdistrict, it shall remain a part of, or the same subdistrict which it was or was a part of prior to June 30, 1934. And that the subdistrict trustee shall exercise all powers and duties as provided in the Act of 1934 Regular Session.

That all laws or parts of laws in conflict with the pro-

visions of this Act are hereby repealed—to the extent of their conflict.

By Mr. Bedford:

H. B. 510. An Act repealing, amending and re-enacting Chapter 356, 1928 Session, General Assembly of the Commonwealth of Kentucky, relating to roads made a part of the primary system of roads of the Commonwealth of Kentucky. Said road being Project No. 409.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 356 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1928, be and the same is hereby repealed, amended and re-enacted so when amended and re-enacted said Chapter will read as follows:

"There is hereby created and made a part of the State Highway system of primary roads, a road beginning at a point what is known as the Lafferty Turn Pike intersects the Cynthiana, Breckinridge and Renaker Turn Pike known as Cynthiana and Williamstown Pike, Project No. 229 in Harrison County, about 4.46 miles northwest of Cynthiana; thence with and over and along said Lafferty Turn Pike by way of Colemansville and Boyd; thence with and along the route of the Boyd and Antioch Mills Turn Pike to Antioch intersecting there with U. S. Highway 27 a distance of approximately 18½ miles.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

All laws in conflict herewith are hereby repealed.

By Mr. Gnau:

H. B. 511. An Act to amend and re-enact Article 4 of Chapter 16 of the Acts of the General Assembly of 1906, the same being Section 3024a-4 of Carroll's Kentucky Statutes, 1930, by authorizing compensation to members of the board of water works in cities of the first class.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Article 4 of Chapter 16 of the Acts of 1906 of the General Assembly, the same being Section 3024a-4 of Carroll's Kentucky Statutes, 1930, be and the same hereby is amended and re-enacted so that said section, as amended, and re-enacted, shall read as follows:

"Said board shall annually elect a president, a treasurer, a secretary and a chief engineer, who shall hold their offices for one year, or until their successors have been duly elected and qualified, and devote all their time to the duties of their respective offices. No member of said board, except the president, shall receive a salary, but the board may allow compensation to each member thereof, other than the salaried officers, for attendance upon the meetings of the board, not exceeding ten ($10.00) dollars, for each meeting attended. The president shall be elected from the members of the board. The president, secretary and treasurer shall each give bond, with approved surety, in such amount as may be fixed by the board, which bond shall be payable to the board of water works, and obligate the makers thereof to perform faithfully the duties of their several offices and faithfully account for and pay over all money or other things of value which may come into their several hands. The combined salaries of the president, treasurer and secretary shall not exceed the sum of nine thousand dollars. The board shall have the authority to appoint such other agents or employees as they may deem necessary or proper and to fix the compensation of its

officers, agents or employees. Provided, however, that the salary of no officer, agent or employee shall exceed the sum of five thousand dollars per annum."

By Mr. Gnau:

H. B. 512. An Act to amend and re-enact section 165a-33 of the 1934 Supplement to Carroll's Kentucky Statutes, Baldwin's revision.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 165a-33 of the 1934 Supplement to Carroll's Kentucky Statutes, Baldwin's Revision, be amended and re-enacted so that when so amended and re-enacted it shall read as follows:

"No dealer or salesman shall engage in business in this state as such dealer or salesman or sell any securities, including securities exempted in section twenty-five (K. S. Sec. 165a-24) of this Act, except in transactions exempt under section twenty-six (K. S. Sec. 165a-25) of this Act, unless he has been registered as a dealer or salesman in the office of the commissioner pursuant to the provisions of this Section.

"Every dealer subject to the provisions of this Act before engaging in business in this State shall file in the office of the Commissioner an application for registration in writing in such form as the commissioner may prescribe, duly certified by oath, which shall state the principal office of the applicant, wherever situated, and the location of the principal office and all branch offices in this State, if any, the name or style of doing business, the names, residences and business addresses of all persons interested in the business as principals, co-partners, officers and directors, specifying as to each his capacity and title, the general plan and character of business and length of time the dealer has been engaged in such

business. The Commissioner may also require such additional information as to the applicant's previous history, record and association as he may deem necessary to establish the good repute in business of the applicant.

"Every such dealer shall file with his application an irrevocable written consent to the service of process upon the Banking and Securities Commissioner in actions against such dealer in manner and form as herein provided in section thirty-two (K. S. sec. 165a-31.)

"Every such dealer shall also file with his application a bond, with good and sufficient surety, which bond shall be approved by the Commissioner, running to the Commonwealth of Kentucky which said bond shall be in substantially the following form:

"Know All Men By These Presents, That ..... of the State of ....., having a place of business in ....., Kentucky, as Principal, and the ..... of ..... authorized to conduct and carry on a general surety business in the State of Kentucky, as Surety, are held and firmly bound unto the Commonwealth of Kentucky in the sum of Five Thousand Dollars ($5,000.00) lawful money of the United States of America for the payment whereof well and truly to be made, subject to the terms and provisions hereinafter set forth, the said Principal and the said Surety bind themselves, their heirs, successors and assigns, executors and administrators, jointly and severally, firmly by these presents.

"Whereas, the Banking and Securities Commissioner of the Commonwealth of Kentucky under the provisions of Chapter 17, Acts of the General Assembly of Kentucky of 1932 has registered the said .....principal herein named as a dealer pursuant to Section 34 of said Act, being Section 165a-33 of the Kentucky Statutes.

"Now Therefore the Principal Condition of This Obligation is Such, that if the said Principal herein named, shall

well and truly comply with the provisions of Chapter 17, Acts of the General Assembly of 1932 and existing amendments thereto, then this obligation to be null and void, otherwise to remain in full force and effect.

"This obligation is further conditioned, however, as hereinafter set forth:

"1. That in no event shall the maximum liability hereunder of the Surety be more than Five Thousand Dollars ($5,000.00) regardless of the number of acts of omission or commission in violation of the before mentioned Act which may be committed either by the Principal and/or its salesmen.

"2. That before any person, firm or corporation shall have any right of action, or any recovery shall be had, against the surety upon this bond, such person, firm or corporation, shall within the period of two years after the occurrence of the act or acts complained of furnish unto the Surety written notice of claim under this bond. It is hereby stipulated and agreed that the giving of such notice of claim under this bond within the said period of two (2) years shall be a condition precedent to any right of actions against the Surety. Provided further that the liability of the surety on this bond shall be conditioned upon the faithful and substantial compliance with the provisions of this Act by the dealer and by all salesmen registered by him.

"3. That this bond is canceled in its entirety and is rendered null and void thirty days after receipt of written notice of the intention to cancel sent either by the Principal or the Surety via registered mail to the Banking and Securities Commissioner of the Commonwealth of Kentucky at its office in Frankfort, Kentucky. If this bond is canceled by the Surety, copy of said notice of cancellation shall be sent by registered mail to the Principal hereinunder simultaneously with the sending of such notice to the Commissioner. In case of cancellation by either the Principal or the Surety no further obligation shall be incurred under this bond by

the Surety after the expiration of the thirty-day period set forth in such notice but the liability of the Principal and of the Surety shall continue as to any acts or omissions which may have occurred prior to the effective date of such cancellation.

"Provided, however, that nothing herein shall be construed to release the Principal from his obligations under Chapter 17, Acts of 1932, and amendments.

"Signed and sealed this ..... of ....., 19.....

"Said bond shall be duly executed in accordance with all laws governing surety bonds executed by Surety Companies under the laws of the Commonwealth of Kentucky.

"Each dealer must furnish the bond called for by this Act at the time of obtaining his license, and no license shall be issued until the said bond is furnished and approved by the Commissioner. All bonds executed under this Act shall expire upon the last day of each year in which same are executed and approved, unless continued by continuation certificate of the surety.

"In lieu of said bond the dealer applying for registration may, with the approval and consent of the Commissioner, if he so desires, deposit with the Banking and Securities Commissioner of the Commonwealth of Kentucky Five Thousand ($5,000.00) Dollars in cash or bona fide securities, approved by the Commissioner, of the value of Five Thousand ($5,000.00) Dollars, the deposit of said securities to be always subject to the discretion of the Commissioner.

"Provided, however, that upon the bond required of any bank or trust company, or combined bank and trust company organized and doing business under the laws of this State or any National bank situated therein, its capital stock may be taken and considered as the only security required for the faithful performance of its duties. If the Commissioner shall find that the applicant is of good repute and has complied

with the provisions of this section, including the payment of the fee hereinafter provided, he shall register such applicant as a dealer. Provided that banks or trust companies or combined bank and trust companies which may become dealers under this Act, may, when required to execute as dealers the bond required therein, execute said bond without surety, when by action of the board of directors the capital stock is authorized to be pledged as surety; and when so pledged no other surety shall be required.

"Upon the written application of a registered dealer and general satisfactory showing as to good character and the payment of the proper fee the Commissioner shall register as selesman of such dealer such natural persons as the dealer may request. No dealer or salesman shall sell or offer to sell any security the sale of which has not been authorized by the Commissioner and the Commissioner shall deliver to each dealer and salesman a license prepared and printed in such form as he shall prescribe.

"The names and addresses of all persons approved for registration as dealers or salesmen and all orders with respect thereto shall be recorded in a Register of Dealers and Salesmen, kept in the office of the Commissioner, which shall be open to public inspection. Every registration under this section shall expire on the 31st day of December in each year, but renewal registrations for the succeeding year shall be issued upon written application and upon payment of the fee as hereinafter provided without filing of further statements or furnishing any further information unless specifically required by the Commissioner.

"Applications for renewals must be made not less than thirty (30) nor more than sixty (60) days before the first day of the ensuing year, otherwise they shall be treated as original applications. The fee for such registration shall be $50.00 and for each annual renewal shall be $25.00 in the case of dealers, and $5.00 in the case of salesmen for registration and $5.00 for each annual renewal.

"Changes in registration occasioned by changes in the personnel or a partnership or in the principals, co-partners, officers, directors, of any dealer may be made from time to time by written application setting forth the facts with respect to such change.

"Every registered dealer who intends to offer any security of any issue, registered or to be registered, shall notify the Commissioner in writing of his intention to do so. The notice shall contain the name of the dealer and shall state the name of the security to be offered for sale and whenever a dealer shall have prepared such notice and shall have forwarded the same by registered mail, postage prepaid and properly addressed to the Commissioner, such dealer, as to the contents of such notice and filing thereof, shall be deemed to have complied with the requirements of this paragraph. Any issuer of security required to be registered under the provisions of this Act, selling such securities except in exempt transactions as defined in section twenty-six (K. S. Sec. 165a-25) hereof, shall be deemed a dealer within the meaning of this section thirty-four (K. S. Sec. 165a-33) and required to comply with the provisions hereof."

By Mr. Gnau:

H. B. 513. An Act relating to perversion, an offense against nature, defining the same and prescribing penalties therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That any person who carnally knows in any manner any male or female person by or with the mouth, or who by any means whatever shall cause or induce or procure any person so to do, shall be guilty of perversion, and upon conviction

shall be confined in the penitentiary not less than two nor more than twenty years.

By Mr. Garnett:

H. B. 514. An Act relating to the renewal of Teachers' Certificates of former issue, amending, and re-enacting as amended, Chapter 65, Article VII, Section 5, page 197, of the 1934 Acts of the General Assembly, also known as Section 4502-6 of Baldwin's 1934 Supplement, Carroll's Kentucky Statutes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 65, Article VII, Section 5, of the Acts of the 1934 General Assembly of the Commonwealth of Kentucky, also known as Section 4502-6 of Baldwin's 1934 Supplement, Carroll's Kentucky Statutes, be and the same is hereby amended and re-enacted so that the same when and as re-enacted shall read as follows:

The validity of any certificate or license in force at the time this act goes into effect, shall not be impaired by this act, and such certificate or license shall be re-issued or renewed in accordance with the terms of the law applying at the date of issue, subject to the provision that all such teachers' certificates now outstanding shall, upon expiration, be renewed for life upon the same level of instruction for which aforesaid certificates were originally issued, upon satisfactory evidence of four years of teaching immediately prior to application for renewal and attainment of a bachelor's degree from an accredited college.

By Mr. Garnett:

H. B. 515. An Act to amend Section 297 of the Civil Code.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 297 of the Civil Code be amended so that when amended it shall read as follows:

Section 297. If a party to an injunction suit desires to make application to a judge of the Court of Appeals for an order for the issue of a temporary injunction or for the reinstatement or dissolution of such injunction as provided in Section 296, such party shall give reasonable notice in writing to the party affected thereby of the time and place of such application, and of the motion to be made at such time. Such application shall be made by presenting to the Clerk of the Court of Appeals a copy of the record, including the evidence read or offered to be read, and a copy of the notice of such application. Upon such presentation, such clerk shall at once notify the Chief Justice of such application and motion and the Chief Justice, or the clerk in vacation, shall thereupon at once assign such application and motion to one of the judges of the Court of Appeals for disposition. The judge of the Court of Appeals to whom such application and motion shall have been assigned shall consider such record and shall make such order as he shall deem proper in the case, either directing that such temporary injunction shall issue or refusing the same or directing a dissolution or modification thereof, as he shall decide. Such order shall be returned by the appellate judge to the clerk's office of the circuit court, and, when filed in such clerk's office, shall have the same effect as an order made by such circuit court.

By Mr. Garnett;

H. B. 516. An Act to repeal Chapter 122 of the Acts of 1912, as amended by Chapter 127 of the Acts of 1920, Sections 123, 124, 125, 126, 127, 128 of Chapter 115 of the Acts of 1926 and Chapter 73 of the Acts of 1928 of the General Assembly, being Sections 2896a-16 to 2896a-33, inclusive, Carroll's Kentucky Statutes, 1930; and enacting in lieu thereof an act to authorize and empower the proper legislative authorities of cities of the first class to adopt and provide for a system of pensions for retired, injured and disabled firemen and their dependents; and to empower the assessment and collection of taxes, fines, penalties and donations to provide therefor; and exempting pensions from process:

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 122 of the Acts of 1912, as amended by Chapter 127 of the Acts of 1920, Sections 123, 124, 125, 126, 127, 128 of Chapter 115 of the Acts of 1926 and Chapter 73 of the Acts of 1928 of the General Assembly of the Commonwealth of Kentucky, being Sections 2896a-16 to 2896a-33, inclusive, Carroll's Kentucky Statutes, 1930, be and the same hereby are repealed as of August 31, 1936.

§ 2. That the proper legislative authorities of all cities of the first class be and they hereby are authorized and empowered to enact laws and ordinances, effective on and after the first day of September 1936, adopting and providing for a system of pensions for injured, retired and disabled firemen and their dependents.

§ 3. That the proper legislative authorities of all cities of the first class be and they hereby are authorized and empowered to levy, assess, and collect taxes for the purpose of paying such pensions.

§ 4. That such legislative authorities be and they hereby are empowered to allot, assign, and pay into any such pension

fund all moneys credited upon the payroll of the fire department by reason of fines or penalties imposed upon officers, members and employees of said department, and to provide for, assess and collect contributions from such officers, members and employees for the benefit of such fund.

§ 5. No portion of any pension fund, created by virtue of this Act, shall, before or after its order for distribution to the persons entitled thereto, be held, seized, taken, subjected to, detained or levied, by virtue of any attachment, execution, injunction, writ, interlocutory, or any other order or decree or any process or proceeding whatever, issued out of or by any court whatsoever, for the payment or satisfaction, in whole or in part, of any debt, damage, claim, demand or judgment against the beneficiary of said fund; but said fund shall be held and distributed for the purpose of paying pensions, and for no other purpose whatever.

§ 6. All laws and parts of laws in conflict with this Act are hereby expressly repealed.

By Mr. Garnett:

H. B. 517. An Act repealing Chapter 112 of the Acts of the General Assembly of 1912, as amended by Chapter 126 of the Acts of the General Assembly of 1920, Sections 88, 89, 90, 91 and 92 of Chapter 115 of the Acts of the General Assembly of 1926, and Chapter 119 of the Acts of the General Assembly of 1926, being Sections 2872a-1 to 2872a-19, inclusive, Carroll's Kentucky Statutes, 1930, and enacting in lieu thereof an act authorizing the proper legislative authorities of cities of the first class to adopt and provide for a system of pensions for injured, retired, and disabled policemen and their dependents; empowering the assessment and collection of taxes, fines, penalties and donations to provide therefor; and exempting pensions from process.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 112 of the Acts of 1912, as amended by Chapter 126 of the Acts of 1920, Sections 88, 89, 90, 91, and 92 of Chapter 115 of the Acts of 1926, and Chapter 119 of the Acts of 1926, of the General Assembly, being Sections 2872a-1 to 2872a-19, inclusive, Carroll's Kentucky Statutes, 1930, be and the same is hereby repealed, as of August 31, 1936.

§ 2. That the proper legislative authorities of all cities of the first class be and they hereby are authorized and empowered to enact laws and ordinances, effective on and after the first day of September, 1936, and providing for a system of pensions for injured, retired and disabled policemen and their dependents.

§ 3. That the proper legislative authorities of all cities of the first class be and they hereby are authorized and empowered to levy, assess and collect taxes for the purpose of paying such pensions.

§ 4. That such legislative authorities be and they hereby are empowered to allot, assign and pay into any such pension fund all moneys credited upon the payroll of the police department by reason of fines or penalties imposed upon officers, members and employees of said department, and to provide for, assess and collect contributions from such officers, members and employees for the benefit of said fund.

§ 5. No portion of any pension fund, created by virtue of this Act, shall before or after its order for distribution to the persons entitled thereto, be held, seized, taken, subjected to, detained, or levied by virtue of any attachment, execution, injunction, writ, interlocutory, or any other order or decree or any process or proceeding whatever, issued out of or by any Court whatsoever for the payment or satisfaction, in whole or in part, of any debt, damage, claim, demand or judgment against the beneficiary of said fund; but said fund shall

be held and distributed for the purpose of paying pensions, and for no other purpose whatever.

§ 6. All laws and parts of laws in conflict with this Act are hereby expressly repealed.

By Mr. Pfeiffer:

H. B. 518. An Act to protect applicants for life insurance and requiring all life insurance companies doing business in the State to advise the applicant in writing the reason of his or her rejection, if such applicant is rejected.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That whenever an applicant for a policy for life insurance in any company doing business in Kentucky is rejected for any reason, the company shall advise the applicant in writing the exact reason for his or her rejection, and if such rejection was based on physical reasons or incapacities, then the management of such insurance company shall make a full and detailed report of the medical examiner's findings of such examination, which shall be given to the applicant in writing by the management of the insurance company.

If such rejection was based on reasons other than physical deformities, then the management of the insurance company, shall state in full in writing the exact reasons why applicant was so rejected.

Failure of any insurance company to comply with any of the provisions of this Act shall be deemd a felony and punishable by a fine of not less than $500 or more than $1,000, or by imprisonment in the penitentiary for not less than one year or more than five years, or by both fine and imprisonment, in the discretion of the court.

All laws or parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

By same:

H. B. 519. An Act to repeal Section 2908, Kentucky Statutes, Carroll's 1930 Edition, concerning entry by the Assessor in cities of the first class, upon his book of assessment, of a statement showing the payment to the tax receiver by the taxpayer of taxes due on property.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2908, Kentucky Statutes, Carroll's 1930 Edition, be, and the same is hereby repealed.

By Mr. McDermott:

H. B. 520. An Act to amend and re-enact Section 4042a-8, Carroll's Kentucky Statutes, relating to the compensation of commissioner; county court to certify account to auditor; Jefferson County's law unchanged; maximum fees; allowance for deputies.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

The county tax commissioner shall, after he has returned his assessment book to the county court clerk, present to the county court his account, verified by affidavit, stating the total assessed value of the property listed by him as shown by his assessment books, and the county court shall approve and allow fifty per cent (50%) of the amount due the county tax commissioner, based upon his assessment. When a copy of said order of allowance is presented to the auditor of public

accounts, he shall draw his warrant in favor of the county tax commissioner for the amount so approved and allowed. When the county board of supervisors has completed its work and the same has been certified to the state tax commission showing the total assessed value of the property of the county, the county tax commissioner shall present his account for the balance due to the county court, which shall be allowed in the manner now provided by law, and upon certification to the auditor of public accounts of the balance due, the auditor shall draw his warrant, payable to the county tax commissioner for the remaining fifty per cent (50%) due for the services required of him by law, which shall be based on the total value of the assessment made by him as finally equalized by the county board of supervisors. Five cents (5c) on the one hundred dollars ($100.00) of the first million dollars ($1,000,000) and two cents (2c) on each one hundred dollars ($100.00) of the excess over one million dollars ($1,000,000), but no county tax commissioner shall be entitled to receive more than four thousand dollars ($4,000) for his services during any year. In counties in which the assessed value of property exceeds twenty million dollars ($20,000,000) the county tax commissioner shall be allowed as compensation to the deputies appointed and qualified the sum of fifteen hundred dollars ($1,500.00) for each seven and one-half million dollars ($7,500,000) of property which may be assessed in excess of twenty million dollars ($20,000,000); provided, however, the total sum allowed to any county tax commissioner and his deputies shall not exceed seven thousand dollars ($7,000.00) in any county, except in a county having a city of the first class and in such county the present law shall remain in force. The counties shall allow to the county tax commissioner for assistance fifteen hundred dollars ($1,500.00) in any county assessing more than thirty-five million dollars ($35,000,000) in taxable property; provided however, in counties assessing more than fifty million dollars ($50,000,000) the county shall allow to the county tax commissioner three thousand dollars

($3,000.00) for assistance. In counties where the assessment does not exceed one million dollars ($1,000,000) the county tax commissioner shall be paid six cents (6c) on the one hundred dollars ($100.00) of the entire property listed. In counties containing a city of the second class on the first of April, one thousand nine hundred and twenty-two, and the first of each calendar month thereafter, the auditor of public accounts shall draw his warrant upon the treasurer for three hundred dollars, which shall be paid to the county tax commissioner, said three hundred dollars being an advancement to the tax commissioner by the Commonwealth of Kentucky to defray necessary official expenses and partial payment upon the salaries of himself and deputies. Said sum shall be deducted from the total paid the tax commissioner by law when the yearly settlements are made. Should the tax commissioner die, resign or be removed from office, or should the office of tax commissioner in counties containing a city of the second class for any cause become vacant, the sums advanced hereunder shall be deducted from the yearly settlement when said settlement is made. So that said section as amended shall read as follows:

The county tax commissioner shall after he has returned his tax books and the state tax commission has passed upon the assessment of property in his county and has certified the total amount at which said county has been assessed to the county board of supervisors such officer shall present to the county court his account verified by affidavit stating the total assessed value of the property listed by him as shown by his tax books and the county court shall approve and allow fifty per cent of the amount due the county tax commissioner, based upon the certification of the state tax commission. When a copy of said order of allowance is presented to the auditor of public accounts, he shall draw his warrant in favor of the county tax commissioner for the amount so certified. When the county board of supervisors has completed its work and

has certified to the state tax commission the total value of assessed property in the county, the county tax commissioner shall present his account for the balance due him to the county court, which shall be allowed in the manner now provided by law, and upon certification to the auditor of public accounts of the balance due, the auditor shall draw his warrant payable to the county tax commissioner for the remaining fifty per cent due for the services required of him by law, which shall be based on the total value of the assessments made by him as above required as follows:

Five cents on the one hundred dollars of the first million and two cents on each one hundred dollars of the excess over one million, but no county tax commissioner shall be entitled to receive more than four thousand dollars for his services during any year. In counties in which the assessed value of property exceeds twenty million dollars, the county tax commissioner shall be allowed as compensation to the deputies appointed and qualified the sum of fifteen hundred dollars for each seven and one-half million dollars of property which may be assessed in excess of twenty million dollars.

Provided, however, the total sum allowed to any county tax commissioner and his deputies shall not exceed seven thousand dollars in any county, except in a county having a city of the first class and in such county the present law shall remain in force. The counties shall allow to the county tax commissioner for assistance fifteen hundred dollars in any county assessing more than thirty-five millions in taxable property; provided, however, in counties assessing more than fifty millions the county shall allow to the county tax commissioner three thousand dollars for assistance. In counties where the assessment does not exceed one million dollars the county tax commissioner shall be paid six cents on the one hundred dollars of the entire property listed. Provided, however, in counties containing a city of the second class, on the first of April, one thousand nine hundred and twenty-two, and

the first of each calendar month thereafter, the auditor of public accounts shall draw his warrant upon the treasurer for three hundred dollars, which shall be paid to the county tax commissioner, said three hundred dollars being an advancement to the county tax commissioner, by the Commonwealth of Kentucky, to defray necessary official expenses and partial payment upon the salaries of himself and deputies. Said sum shall be deducted from the total paid the tax commissioner by law when the yearly settlements are made. Should the tax commissioner die, resign or be removed from office, or should the office of tax commissioner in counties containing a city of the second class for any cause become vacant, the sums advanced hereunder shall be deducted from the yearly settlement when said settlement is made.

This act shall take effect on the first day of July, nineteen thirty-six, which is the assessment day as now prescribed by law.

By Mr. Farnsley:

H. B. 521. An Act to amend Chepter 16 of the Acts of 1928 by adding after Section 77 thereof and before Section 78 thereof a new section to be entitled Section 77a and providing for the temporary commitment for care and observation of persons whose mental condition is so abnormal as to require their temporary commitment for care and observation pending a determination whether or not they are insane.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

If the certificate of the medical examiners mentioned in the preceding sections, instead of stating that in the opinion of such examiners the person is insane, shall state in substance that in the opinion of such examiners the mental condition of the person is so abnormal that the safety of the per-

son or of the public requires that he be committed for a period of care and further medical examination and observation of his mental condition, upon the filing of such certificate the court may order such person to a state hospital for the insane or to a city or county hospital in the county having a psychopathic ward or facilities suitable, in the court's opinion, for the care and medical examination and observation of mental diseases, for a period of care and further medical examination and observation of the mental condition of such person not to exceed thirty-five (35) days. Within thirty (30) days after such committment, if the superintendent of the institution to which the person has been committed shall be of the opinion that the person is sane, he shall so certify to the judge who committed him, who shall thereupon order the discharge of the person, and it shall be the duty of the clerk to mail an attested copy of such order to the superintendent of the institution to which the person was committed. Within thirty (30) days after such commitment, if the superintendent of the institution to which the person has been committed shall be of the opinion that the person is insane, he shall so certify to the judge who committed him, whereupon the judge shall again appoint two medical examiners as provided in Section 216aa-76, Carroll's Kentucky Statutes, 1930 Edition, and upon the filing of their certificate as provided in Section 216aa-77, Carroll's Kentucky Statutes, 1930 Edition, the action shall proceed as provided in Sections 216aa-68 to 216aa-94 inclusive, Carroll's Kentucky Stautes, 1930 Edition.

By Mr. Schneider:

H. B. 522. An Act to repeal, amend, and re-enact Section 3037f-10 concerning supervision of the plumbing departments of Cities of the first class; reports by and to whom.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3037f-10, Kentucky Statutes, Carroll's 1930 Edition, be and the same is hereby repealed and re-enacted as follows:

Section 3037f-10. Supervision by Director of Department of Public Works or Boards of Health; Reports to. The Plumbing Department of every city of the first class in this State, consisting of the examining board, the chief inspector and his deputies, shall be under the supervision of the Director of the Department of Public Works of said city, and the Chief Inspector shall make a complete report of this department to said Director of the Department of Public Works at the end of each year.

The Plumbing Department of every city of the second class in this state consisting of the examining board, the chief inspector and his deputies shall be under the supervision of the board of health of said city, and the chief inspector shall make a complete report of this department to said board of health at the end of each year.

By same:

H. B. 523. An Act to repeal, amend, and re-enact Section 3001, concerning tax collection; lien; sale; fees.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3001, Kentucky Statutes, Carroll's 1930 Edition, be and the same is hereby repealed and re-enacted as follows:

Section 3001. Collection; lien; sale; fees.—Immediately upon the filing of these lists the tax receiver or one of his deputies shall distrain the goods and chattels owned by, or in the rightful possession of the person from whom the tax is due, notwithstanding the existence of any lien upon same except that for state taxes, and may proceed to sell the title

of such person in so much thereof as will pay the tax due, with penalties, interest and costs. If there be no personal property reasonably available, out of which said bills can be collected by such distraint, the tax receiver shall sell any real estate belonging to such delinquent taxpayer, or enough thereof to pay the taxes due, with interest, penalties, and costs except that where there are bona fide mortgages or vendor's liens of record on real estate, only liens now given by law shall be enforced by such sale. No warrant shall be required for such distraint or sale of either personal or real property, but the tax bill, unpaid in whole or in part, shall give sufficient power for such distraint and sales, and all subsequent proceedings thereunder. He shall thus in each case make out of the property of the person assessed, the amount of the tax bill, or the unpaid part thereof, together with interest at the rate of one-half (½) of one (1) percent per month, or fraction of a month from the first of May last past, and ten (10%) percent on the face of the bill. Said tax bills shall have the force and effect of an execution issued upon a judgment against the delinquent, in addition to the tax lien now provided by law. The city shall have a lien on personal property as provided in the case of real property for its taxes. A sale of personalty under such tax bills shall be for cash, and the levy, advertisements, sale and delivery to purchasers shall be made in like manner as of goods levied upon execution on replevin bond. When such tax bills are against a married woman, they may be also levied upon such goods of her husband, nor exempt from levy under a like tax bill against himself, and found on any of the lands or improvements for which the married woman is assessed. A sale of real property under such bills shall be for cash, and in such cases the tax receiver shall sell at public auction so much of the property of the delinquent as shall pay the taxes due, with penalties, interest and costs, in the same manner that property is sold under execution, except that the sale

shall be had at the door of the city hall of the city in which the land lies, and need not be appraised or levied on. Such sale shall be advertised by posting for fifteen days before this sale a written or printed notice at the city hall door, and by publication at least four weeks prior to the day of sale by one insertion in a newspaper published in the English language in said city, selected by the general council to print its proceedings and ordinances and the tax receiver shall, not less than fifteen days before the sale, mail to the delinquent a postal card addressed to his place of residence, or place of business, if such can be ascertained, notifying him of the time and place of the sale; and in order to cover the cost of said advertisement and notification the tax receiver shall have Two ($2.00) Dollars for each person whose property is advertised to be paid by the delinquent, but in no event to be paid by the city, and the money so received shall be paid by the tax receiver into the city treasury; but the failure of the tax receiver to send, or of the taxpayer to receive the mail notice of sale herein required, shall not invalidate the sale or any subsequent proceedings thereunder.

By C. W. Anderson:

H. B. 524. An Act to amend and re-enact Section 2777 of Carroll's Kentucky Statutes, Baldwin's Revision of 1930, which section is a part of Chapter 244, Sec. 15 of an act enacted by the 1893 session of the General Assembly of the Commonwealth of Kentucky, as amended by Chapter 115, Sec. 16 of an act enacted by the General Assembly of the Commonwealth of Kentucky, concerning the cities of the first class in the Commonwealth of Kentucky, and relating to ordinances, how passed; how amended:

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of of Kentucky:

§ 1. That Section 2777 of Carroll's Kentucky Statutes, Baldwin's Revision of 1930, which section is a part of Chapter 244, Sec. 15 of an act, enacted by the 1893 session of the General Assembly of the Commonwealth of Kentucky, as amended by Chapter 115, Sec. 16 of an act, enacted by the General Assembly of the Commonwealth of Kentucky, concerning the cities of the first class in the Commonwealth of Kentucky, and relating to ordinances, how passed; how amended, be, and the same is hereby amended and re-enacted so that when so amended and re-enacted it shall read as follows:

Section 2777. Ordinances, How Passed, How Amended. No ordinance shall be passed until it shall have been read in full in the Board of Aldermen and free discussion allowed thereon, and no ordinance shall be passed at the meeting of said Board of Aldermen at which it is introduced, nor shall it be passed at any succeeding meeting until it shall have been read in full in such meeting, and free discussion allowed thereon; and, provided, further, that no ordinance passed by the Board of Aldermen of said city shall embrace more than one subject and that subject shall be expressed in its title. Any ordinance may be repealed or amended by the said Board of Aldermen provided that the ordinance amending same shall be subject to the provisions hereinabove applying and regulating the passage of an original ordinance.

By Mr. Sidebottom:

H. B. 525. An Act to amend and re-enact Section 1078, Kentucky Statutes, Carroll's Edition 1930, relating to Justices' Districts.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section one thousand and seventy-eight, Kentucky Statutes, Carroll's Edition 1930, be amended and re-enacted so that when so amended and re-enacted same shall read as follows:

There shall be established in each county in the State not less than three nor more than four justices' districts. All laws and parts of laws that are in conflict with this Act are hereby repealed.

Provided further, that all counties that have adopted the commission form of government, or may hereafter adopt commission form of government are hereby exempt from enforcing this Act.

By Mr. Wylie:

H. B. 526. An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any person, firm, or corporation, doing business in the State of Kentucky and engaged in the production, manufacture, distribution or sale of any commodity, or product, or service or output of a service trade, of general use or consumption, or the product or service of any public utility, with the intent to destroy the competition of any regular established dealer in such commodity, product, or service, or to prevent the competition of any per-

son, firm, private corporation, or municipal or other public corporation, who or which in good faith, intends and attempts to become such dealer, to discriminate between different sections, communities or cities or portions thereof, or between different locations in such sections, communities, cities or portions thereof in this State, by selling or furnishing such commodity, product or service at a lower rate in one section, community or city, or any portion thereof, or in one location in such section, community, or city or any portion thereof than in another after making allowance for difference, if any, in the grade or quality, and in actual cost of transportation from the point of production, if a raw product or commodity, or from the point of manufacture if a manufactured product or commodity. Motion picture films when delivered and under a lease to motion picture houses shall not be deemed to be a commodity or product of general use, or consumption, under this Act. This Act shall not be construed to prohibit the meeting in good faith of a competitive rate, or to prevent a reasonable classification of service by public utilities for the purpose of establishing rates. The inhibition hereof against locality discrimination shall embrace any scheme of special rebates, collateral contracts or any device of any nature whereby such discrimination is, in substance or fact, effected in violation of the spirit and intent of this Act.

§ 2. Any person who, either as director, officer, or agent of any firm or corporation or as agent of any person, violating the provisions of this Act, assists or aids, directly or indirectly, in such violation shall be responsible therefor equally with the person, firm or corporation for whom or which he acts.

In the prosecution of any person as officer, director or agent it shall be sufficient to allege and prove the unlawful intent of the person, firm or corporation for whom or which he acts.

§ 3. It shall be unlawful for any person, partnership,

firm, corporation, joint stock company, or other association engaged in business within this State, to sell, offer for sale or advertise for sale any article or product, or service or output of a service trade, at less than the cost thereof to such vendor, or give, offer to give or advertise the intent to give away any article or product, or service or output of a service trade for the purpose of injuring competitors and destroying competition, and he or it shall also be guilty of a misdemeanor and on conviction thereof shall be subject to the penalties set out in Section 11 of this Act for any such act.

The term "cost" as applied to production is hereby defined as including the cost of raw materials, labor and all overhead expenses of the producer; and as applied to distribution "cost" shall mean the invoice or replacement cost, whichever is lower, of the article or product to the distributor and vendor plus the cost of doing business by said distributor and vendor.

The "cost of doing business" or "overhead expense" is defined as all costs of doing business incurred in the conduct of such business and must include without limitation the following items of expense: Labor (including salaries of executives and officers), rent, interest on borrowed capital, depreciation, selling cost, maintenance of equipment, delivery costs, credit losses, all types of licenses, taxes, insurance and advertising.

§ 4. In establishing the cost of a given article or product to the distributor and vendor, the invoice cost of said article or product purchased at a forced bankrupt, closeout sale, or other sale outside of the ordinary channels of trade may not be used as a basis for justifying a price lower than one based upon the replacement cost as of date of said sale of said article or product replaced through the ordinary channels of trade, unless said article or product is kept separate from goods purchased in the ordinary channels of trade and unless said article or produce is advertised and sold as mer-

chandise purchased at a forced bankrupt, closeout sale, or by means other than through the ordinary channels of trade, and said advertising shall state the conditions under which said goods were so purchased, and the quantity of such merchandise to be sold or offered for sale.

§ 5. In any injunction proceeding or in the prosecution of any person as officer, director or agent, it shall be sufficient to allege and prove the unlawful intent of the person, firm or corporation for whom or which he acts. Where a particular trade or industry, of which the person, firm or corporation complained against is a member, has an established cost survey for the locality and vicinity in which the offense is committed, the said cost survey shall be deemed competent evidence to be used in proving the costs of the person, firm or corporation complained against within the provisions of this Act.

§ 6. The provisions of Sections 3, 4 and 5 shall not apply to any sale made:

(a) In closing out in good faith the owner's stock or any part thereof for the purpose of discontinuing his trade in any such stock or commodity, and in the case of the sale of seasonal goods or to the bona fide sale of perishable goods to prevent loss to the vendor by spoilage or depreciation, provided notice is given to the public thereof:

(b) When the goods are damaged or deteriorated in quality and notice is given to the public thereof;

(c) By an officer acting under the orders of any court;

(d) In an endeavor made in good faith to meet the legal prices of a competitor as herein defined selling the same article or product, or service or output of a service trade, in the same locality or trade area.

Any person, firm or corporation who performs work upon, renovates, alters or improves any personal property belonging to another, person, firm or corporation, shall be construed to be a vendor within the meaning of this act.

§ 7. The secret payment or allowance of rebates, refunds, commissions, or unearned discounts, whether in the form of money or otherwise, or secretely extending to certain purchasers special services or privileges not extended to all purchasers purchasing upon like terms and conditions, to the injury of a competitor, and where such payment or allowance tends to destroy competition, is an unfair trade practice, and any person, firm, partnership, corporation, or association resorting to such trade practice shall be deemed guilty of a misdemeanor and on conviction thereof shall be subject to the penalties set out in Section 11 of this Act.

§ 8. Upon the third violation of any of the provisions of Sections 1 to 7, inclusive, of this Act, by any corporation, it shall be the duty of the Attorney General to institute proper suits or quo warranto proceedings in any court of competent jurisdiction for the forfeiture of its charter, rights, franchises or privileges and powers exercised by such corporation, and to permanently enjoin it from transacting business in this state. If in such action the court shall find that such corporation is violating or has violated any of the provisions of Sections 1 to 7, inclusive, of this Act, it must enjoin said corporation from doing business in this state permanently or for such time as the court shall order, or must annul the charter, or revoke the franchise of such corporation.

§ 9. Any contract, express or implied, made by any person, firm or corporation in violation of any of the provisions of Sections 1 to 7, inclusive, of this Act, is declared to be an illegal contract and no recovery thereon shall be had.

§ 10. Any person, firm, private corporation or municipal or other public corporation, or trade association, may maintain an action to enjoin a continuance of any Act or acts in violation of Sections 1 to 7, inclusive, of this Act, and if injured thereby, for the recovery of damages. If, in such action, the court shall find that the defendant is violating or

has violated any of the provisions of Sections 1 to 7, inclusive of this Act, it shall enjoin the defendant from a continuance thereof. It shall not be necessary that actual damages to the plaintiff be alleged or proved. In addition to such injunctive relief, the plaintiff in said action shall be entitled to recover from the defendant three times the amount of the actual damages, if any, sustained.

Any defendant in an action brought under the provisions of this section may be required to testify; in addition, the books and records of any such defendant may be brought into court and introduced, by reference, into evidence; provided, however, that no information so obtained may be used against the defendant as a basis for a misdemeanor prosecution under the provisions of Sections 1 to 7, inclusive, and 11, of this Act.

§ 11. Any person, firm or corporation, whether as principal, agent, officer, or director, for himself, or itself, or for another person or for any firm or corporation or any corporation who or which shall violate any of the provisions of Sections 1 to 7, inclusive, of this Act, is guilty of a misdemeanor for each single violation and upon conviction thereof shall be punished by a fine of not less than one hundred ($100) dollars nor more than one thousand ($1,000) Dollars, or by imprisonment not exceeding six months or by both said fine and imprisonment, in the discretion of the court.

§ 12. If any section, sentence, clause or phrase of this Act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of the Act. The Legislature hereby declares that it would have passed this Act, and each section, sentence clause or phrase thereof, irrespective of the fact that any or more other sections, sentences, clauses or phrases be declared unconstitutional. The remedies herein prescribed are cumulative.

§ 13. The Legislature declares that the purpose of this Act is to safeguard the public against the creation or perpet-

uation of monopolies and to foster and encourage competition by prohibiting unfair and discriminatory practices by which fair and honest competition is destroyed or prevented. This Act shall be literally construed that its beneficial purposes may be subserved.

§ 14. This Act shall be known and designated as the "Unfair Practices Act."

§ 15. This Act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of Section 55 of the Constitution, and shall therefore go into immediate effect.

By Mr. Fitzpatrick:

H. B. 527. An Act regulating procedure in action for divorce, maintenance, separation or alimony and providing for appointment of a guardian ad litem for infants in such cases.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That all petitions for divorce, maintenance, separation or alimony filed in the Circuit Courts of this Commonwealth shall state in said petition whether or not children were born of said marriage, and set out the name and age of all children under age of 16 years, issue of the marriage, and said children shall be made parties to said action; and upon the filing of said petition the court shall appoint a guardian ad litem for said infants whose duty it shall be to defend the interest of said minors as in the ordinary action, and he may cause witnesses to be subpeonaed and take depositions and shall perform all other services and duties as are now required of guardian ad litem in other cases.

By Mr. Mull:

H. B. 528. An Act to repeal, amend, and re-enact Section 2985, Kentucky Statutes, concerning tax assessments in cities of the first class.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2985, Kentucky Statutes, Carroll's 1930 Edition, be, and the same is hereby repealed and re-enacted as follows:

Section 2985. Assessor to return five assessment books. —In making the assessments and lists provided for herein, the assessor shall, before the tenth day of November, 1937, and biennially before said date in each second year, thereafter, or as soon thereafter as practicable, make and return not less than five assessment books, and shall cause to be entered therein, as near as may be, in alphabetical order, the names of all persons who are the owners or holders of lands, improvements or personal property, and opposite the name of each person, owner or holder, the number and block of each of his lots, according to the maps in the assessor's office; and the aggregate value of each parcel of land and the value per front foot, when such parcel fronts on a public way; the value of the improvements and the assessed value of the personal property.

By Mr. Rollo:

H. B. 529. An Act to relieve tax officials of cities of the first class against carrying uncollectable city tax bills on personal property that are more than five years overdue.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That all city tax bills on personal property in cities of the first class, which are overdue for more than five years, and are found by the city tax receiver to be uncollectable, shall be cancelled and annulled on certification by the city tax receiver to the city assessor that they are uncollectable.

By Mr. Carter:

H. B. 530. An Act relating to Roads, Bridges and Highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there is now established as a part of the primary road system of roads and highways of the Commonwealth of Kentucky, the three following routes:

Road Project in Monroe County—Beginning at or near Sam Chism's place at a point in the Tomkinsville-Mulkey Meeting House Road, and running thence via Harlan's Cross Roads, Berea Chapple and Walter Bartley's to the double spring on the Kentucky-Tennessee line at Boles, Kentucky.

Also: Monroe County—Beginning at Black's Ferry and running thence via Raydure Post Office and down Kettle Creek via Kettle Creek School and Homer Spear's store to Kentucky-Tennessee State line.

Also: Monroe County—From south side of river at McWilliam's Landing, through Tom Chappell's place, and thence through Turkey Neck Bend via Tom Finley's to intersect with Black's Ferry, Raydure Road at or near Ed Jones' place.

Each project thus established to be a part of and entitled to all the privileges, benefits and conditions now given by any act or law to any of the primary roads in this Commonwealth.

By Mr. Myers:

H. B. 531. An Act making ineligible for appointment to any board, commission or office created by the Legislature, any person who has been a member of such board or commission or held such office for a period of six years prior thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That no person shall be eligible to hold or to be appointed as a member of any board or commission of the Commonwealth of Kentucky, or to any appointive office which was created or which shall hereafter be created by the Legislature, who has been a member of said board or commission for the period of six years.

§ 2. The Governor of the Commonwealth of Kentucky, and any other person vested with the power to make such appointments to any board, commission or office created by the Legislature, shall not appoint a person to such board, commission or office who under Section 1 of this Act is not eligible thereto by reason of having served six years therein whether or not served consecutively.

WHEREAS, the State Government will be reorganized in the near future, and

WHEREAS, many boards and commissions of the Commonwealth of Kentucky will be appointed by the Governor of the Commonwealth or any person vested with said power, and

WHEREAS, it is the desire of the General Assembly that the eligibility law herein provided for shall become effective prior to the said appointments and the qualifications and eligibility of said persons shall be determined prior thereto, an emergency is declared to exist and this law shall become effective upon its enactment by the General Assembly and approval by the Governor.

By Mr. Hunnicut:

H. B. 532. An Act to define, regulate, and license real estate brokers and real estate salesmen; to create a state real estate commission; and to provide a penalty for a violation of the provisions thereof.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. On and after the effective date of this Act it shall be unlawful for any person, copartnership, association or corporation, to act as a real estate broker or real estate salesman or to advertise or assume to act as such real estate broker or real estate salesman without a license issued by the Kentucky State Real Estate Commission.

No copartnership, association, or corporation, shall be granted a license, unless every member or officer of such copartnership, association or corporation, who actively participates in the brokerage business of such copartnership, association or corporation, shall hold a license as a real estate broker, and unless every employee who acts as a salesman for such copartnership, association or corporation shall hold a license as a real estate salesman.

§ 2. Wherever used in this Act unless the context requires otherwise, a real estate broker within the meaning of this Act is any person, firm, partnership, copartnership, association or corporation, who for a compensation or valuable consideration sells or offers for sale, buys or offers to buy, or negotiates the purchase or sale or exchange of real estate, or who leases or offers to lease, or rents or offers for rent, any real estate or in the improvements thereon for others, as a whole or partial vocation. The term "real estate" as used in this Act shall include leaseholds and other interests less than leaseholds.

A real estate salesman within the meaning of this Act is any person who for a compensation or valuable consideration is employed either directly or indirectly by a real estate broker, to sell or offer to sell, or to buy or offer to buy, or to negotiate the purchase or sale or exchange of real estate, or to lease, to rent or offer for rent any real estate, or to negotiate leases thereof, or of the improvements thereon, as a whole or partial vocation.

One act for a compensation or valuable consideration of buying or selling real estate of or for another, or offering for another to buy or sell, or exchange real estate, or leasing, or renting, or offering to rent real estate, except as herein specifically excepted, shall constitute the person, firm, partnership, copartnership, association or corporation, performing, offering, or attempting to perform any of the acts enumerated herein, a real estate broker or a real estate salesman within the meaning of this Act.

The provisions of this Act shall not apply to any person, copartnership, association or corporation, who as owner or lessor shall perform any of the Acts aforesaid with reference to property owned or leased by them, or to regular employees thereof, with respect to the property so owned or leased, where such acts are performed in the regular course of, or as an incident to, the management of such property and the investment therein, nor shall the provisions of this Act apply to persons acting as attorney-in-fact under a duly executed power of attorney from the owner authorizing the final consummation by performance of any contract for the sale, leasing, or exchange of real estate, nor shall this Act be construed to include in any way the services rendered by an attorney-at-law in the performance of his duties as such attorney-at-law; nor shall it be held to include, while acting as such, a receiver, trustee in bankruptcy, administrator or executor, or any person selling real estate under order of any court, nor to include a trustee acting under a trust agreement,

deed of trust, or will, or the regular salaried employees thereof.

§ 3. There is hereby created the State Real Estate Commission. The Governor shall appoint three persons, each of whom, immediately prior to the date of his appointment, has been a resident of the State for five (5) years and whose vocation for a period of at least ten (10) years shall have been that of a real estate broker or a real estate salesman; one member shall be appointed for a term of one (1) year; one member shall be appointed for a term of two (2) years; one member for a term of three (3) years; and until their successors are appointed and qualify, thereafter the term of the members of said Commission shall be for three years and until their successors are appointed and qualify. There shall at no time be more than one Commissioner from any one County. Members to fill vacancies shall be appointed for the unexpired term. The Commission immediately upon the qualification of the member appointed in each year shall organize by selecting from its members a chairman, and may do all things necessary and convenient for carrying into effect the provisions of this Act and may from time to time promulgate necessary rules and regulations.

Each member of the Commission shall receive as full compensation for each day actually spent on the work of said Commission the sum of $10.00 per day and his actual and necessary expenses incurred in the performance of duties pertaining to his office.

The Commission shall employ, and at its pleasure discharge a secretary and such clerks and assistants as shall be deemed necessary to discharge the duties imposed by the provisions of this Act, and shall outline their duties, and fix their compensation, subject to the general laws of the State. The Commission shall obtain such office space, furniture, stationery, fuel, light, and other proper conveniences as shall be reasonably necessary for carrying out the provisions of this Act.

The Commission shall adopt a seal with such design as the Commission may prescribe engraved thereon, by which it shall authenticate its proceedings. Copies of all records and papers in the office of the Commission, duly certified and authenticated by the seal of said Commission shall be received in evidence in all courts equally and with like effect as the original. All records kept in the office of the Commission under authority of this Act shall be open to the public inspection under such rules and regulations as shall be prescribed by the Commission.

All fees and charges collected by the Commission under the provisions of this Act shall be paid into the general fund in the State Treasury. All expenses incurred by the Commission under the provisions of this Act, including compensations to members, secretaries, clerks, and assistants, shall be paid out of the general fund in the State Treasury upon warrants of the Auditor of Public Accounts, from time to time, when vouchers therefor are exhibited and approved by the Commission; Provided, that the total expense for every purpose incurred shall not exceed the total fees, charges, fines, and penalties imposed under the provisions of this Act, and paid into the State Treasury.

§ 4. Every applicant for a real estate broker's license apply therefor in writing upon blanks prepared or furnished by the Real Estate Commission.

Every applicant for a broker's license shall state the name of the person, firm, partnership, copartnership, association or corporation with which he will be associated in the business or real estate, and the location of the place, or places, for which said license is desired, and set forth the period of time, if any, which said applicant has been engaged in the real estate business.

Every applicant for a license shall furnish a sworn statement setting forth his present address, both of business and residence.

Every applicant for a salesman's license shall in addition to the requirements of this section also set forth the name and place of business of the present firm, partnership, copartnership, association or corporation then employing him or into whose service he is about to enter.

Each application shall state whether or not the applicant has ever theretofore had any license provided for by this Act and issued to him revoked or suspended.

Every application for a license, under the provisions of this Act, shall be accompanied by the license fee herein prescribed. In the event that the Commission does not issue the license, the fee shall be returned to the applicant.

Every application for a license shall be accompanied by a bond in the sum of One Thousand Dollars ($1,000.00) running to the State of Kentucky executed by two (2) good and sufficient sureties to be approved by the Commission or executed by a surety company duly authorized to do business in this State. Said bond to be in form approved by the Commission, and conditioned that the applicant shall conduct his business in accordance with the requirements of this Act.

The Commission is expressly vested with the power and authority to make and enforce any and all such reasonable rules and regulations connected with the application for any license as shall be deemed necessary to administer and enforce the provisions of this Act.

§ 5. The Commission shall issue to each licensee a license in such form and size as shall be prescribed by the Commission. This license shall show the name and address of the licensee and in case of a real estate salesman's license, shall show the name of the real estate broker by whom he is employed. Each license shall have imprinted thereon the seal of the Commission, and in addition to the foregoing shall contain such matter as shall be prescribed by the Commission. The license of each real estate salesman shall be delivered or mailed to the real estate broker by whom such real estate

salesman is employed and shall be kept in the custody and control of such broker. It shall be the duty of each real estate broker to conspicuously display his license in his place of business.

The Commission shall prepare and deliver to each licensee a pocket card, which card among other things shall contain an imprint of the seal of the Commission and shall certify that the person whose name appears thereon is a licensed real estate broker or real estate salesman, as the case may be, and if it is a real estate salesman's card it shall also contain the name and address of his employer. The matter to be printed on such pocket card, except as above set forth, shall be prescribed by the Commission.

The original fee for each real estate broker's license shall be Ten Dollars ($10.00), and the annual renewal fee shall be Five Dollars ($5.00). The original fee for each real estate salesman's license shall be Two Dollars ($2.00) and the annual renewal fee shall be One Dollar ($1.00). Provided, that when a copartnership, association or corporation shall have paid an original fee of Ten Dollars ($10.00) or a renewal fee of Five Dollars ($5.00) and shall have designated one of its members or officers as hereinafter provided in this section, the fees payable by any other member or officer actively engaged in the real estate business of such copartnership, association or corporation shall be Two Dollars ($2.00) for the first registration fee and One Dollar ($1.00) for the renewal fee, for which a salesman's license shall be issued, but any such member or officer shall be entitled to a broker's license upon the payment of the usual fee therefore.

When a real estate broker's license is granted to any copartnership or association, consisting of more than one person, or to any corporation, this shall entitle the copartnership, association or corporation to designate one of its members or officers, who upon compliance with the terms of this Act shall, without payment of any further fee, upon issuance of said

broker's license, be entitled to perform all the acts of a real estate salesman contemplated by this Act. The person so designated, however, must make application for a salesman's license which application shall accompany the application of the real estate broker, and be filed with the Commission, at the same time. If, in any case, the person so designated by a real estate broker shall be refused a license by the Commission, or in case such person ceases to be connected with such real estate broker, said broker shall have the right to designate another person who shall make application as in the first instance.

Each real estate broker's license which may be granted to an individual shall entitle such individual to perform all of the acts contemplated by this Act without any application upon his part and without payment of any fee other than the real estate broker's annual fee.

Every license shall expire on the thirtieth day of June of each year. The Commission shall issue a new license for each ensuing year, in the absence of any reason or condition which might warrant the refusal of the granting of a license, upon receipt of the written request of the applicant and the annual fee therefore, as herein required. The revocation of a broker's license shall automatically suspended every real estate salesman's license granted to any person by virtue of his employment by the broker whose license has been revoked, pending a change of employer and the issuance of a new license. Such new license shall be issued without charge, if granted during the same year in which original license was granted.

No person, copartnership or corporation engaged in the business or acting in the capacity of a real estate broker or a real estate salesman within this State shall bring or maintain any action in the Courts of this State for the collection of compensation for any services performed as a real estate broker or salesman without alleging and proving that such person, copartnership or corporation was a duly licensed real estate

broker or real estate salesman at the time the alleged cause of action arose.

Every real estate broker shall maintain a place of business in this state. If the real estate broker maintains more than one place of business within the State, a duplicate license shall be issued to such broker for each branch office maintained. Provided, that if such broker be a copartnership, association or corporation, a duplicate shall be issued to the members or officers thereof, and a single fee of One Dollar ($1.00) in each case shall be paid for each duplicate license.

Notice in writing shall be given to the Commission by each licensee of any change of principal business location, whereupon the Commission shall issue a new license for the unexpired period without charge. The change of business location without notification to the Commission shall automatically cancel the license theretofore issued.

When any real estate salesman shall be discharged or shall terminate his employment with the real estate broker by whom he is employed, it shall be the duty of such real estate broker to immediately deliver or mail by registered mail to the Commission such real estate salesman's license. The real estate broker shall at the time of mailing such real estate salesman's license to the Commission address a communication to the last known residence address of such real estate salesman, which communication shall advise such real estate salesman that his license has been delivered or mailed to the Commission. A copy of such communication to the real estate salesman shall accompany the license when mailed or delivered to the Commission. It shall be unlawful for any real estate salesman to perform any of the acts contemplated by this Act either directly or indirectly under authority of said license from and after the date of receipt of the said license from said broker by the Commission; Provided, that another license shall not be issued to such real estate salesman until he shall return his former pocket card to the Com-

mission or shall satisfactorily account to it for same. Provided, further, that not more than one license shall be issued to any real estate salesman for the same period of time.

§ 6. The Commission may upon its own motion and shall upon the verified complaint in writing of any person, provided such complaint, or such complaint together with evidence, documentary or otherwise, presented in connection therewith, shall make out a prima facie case, investigate the actions of any real estate broker or real estate salesman, or any person who shall assume to act in either such capacity within this State, and shall have the power to suspend or to revoke any license issued under the provisions of this Act, at any time where the licensee has by false or fraudulent representation obtained a license, or where the licensee in performing or attempting to perform any of the acts mentioned herein, is deemed to be guilty of:

(a) Making any substantial misrepresentation, or

(b) Making any false promises of a character likely to influence, persuade or induce, or

(c) Pursuing a continued and flagrant course of misrepresentation, or making of false promises through agents or salesmen or advertising or otherwise, or

(d) Acting for more than one party in a transaction without the knowledge of all parties for whom he acts, or

(e) Accepting a commission or valuable consideration as a real estate salesman for the performance of any of the acts specified in this Act, from any person, except his employer, who must be a licensed real estate broker, or

(f) Representing or attempting to represent a real estate broker other than the employer, without the express knowledge and consent of the employer, or

(g) Failing, within a reasonable time, to account for or remit any moneys coming into his possession which belongs to others, or

(h) Paying a commission or valuable consideration to any person for acts or services performed in violation of this Act, or

(i) Using the term "Realtor" by one not a member of the National Association of Real Estate Boards, or

(j) Any other conduct, whether of the same or a different character from that hereinbefore specified, which constitutes improper, fraudulent, or dishonest dealing.

Any unlawful act or violation of any of the provisions of this Act by any real estate salesman, employee, or partner or associate of a licensed real estate broker, shall not be cause for the revocation of a license of any real estate broker, partial or otherwise, unless it shall appear to the satisfaction of the Commission that said employer, partner or associate had guilty knowledge thereof.

Any person who shall have had any license issued to him under the provisions of this Act revoked as herein provided, shall not be granted any like or other license authorized under the provisions of this Act for a period of five years from the date of such revocation.

§ 7. The Commission shall before denying an application for license or before suspending or revoking any license set the matter down for a hearing and at least twenty days prior to the date set for the hearing it shall notify the applicant or licensee in writing, which said notice shall contain an exact statement of the charges made and the date and place of the hearing. The applicant or licensee in all such hearings shall have the opportunity to be heard in person and by counsel in reference thereto. Such written notice may be served by delivery of same personally to the applicant or by mailing by registered mail to the last known business address of such applicant or licensee. If such applicant or licensee be a salesman the commission shall notify the broker employing him or in whose employ he is about to enter by mailing notice by registered mail to the broker's last known business address.

The hearing on such charges shall be at such time and place as the Commission shall prescribe.

In the preparation and conduct of a hearing the Commission shall have power to require by subpoena the attendance and testimony of witnesses and the production of papers, and any member of the Commission may sign subpoenas, administer oaths and affirmations, examine witnesses and receive evidence, and the fees and mileage shall be the same as prescribed by law in judicial procedure in the Courts of this State in civil cases. Any party to any hearing before the Commission shall have the right to the attendance of witnesses in his behalf at such a hearing upon making a request thereof to the Commission and designating the person or persons sought to be subpoenaed.

In case of disobedience to a subpoena any member of the Commission may invoke the aid of any Court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of papers; and such Court may issue an order requiring the persons to appear before the Commission and give evidence or to produce papers as the case may be; and any failure to obey such order of the Court may be punished by the Court as a contempt thereof.

Testimony may be taken by deposition as in civil cases, and any person may be compelled to appear and depose in the same manner as witnesses may be compelled to appear and testify as hereinbefore provided.

Any person who shall neglect or refuse to attend and testify or to answer any lawful inquiry or to produce documentary evidence if in his power to do so in obedience to a subpoena or lawful requirement by such Commission or member thereof shall be guilty of a misdemeanor and upon conviction thereof by a Court of competent jurisdiction shall be punished as provided in this Act.

If the Commission shall determine that any applicant is not entitled to receive a license, a license shall not be granted

to such applicant, and if the Commission shall determine that any licensee is guilty of a violation of any of the provisions of this Act, the license shall be suspended or revoked. The Commission upon request of the applicant or licensee, shall furnish said applicant or licensee with a definite statement of its finding of facts and its reason or reasons for refusing to grant the license or for suspension of the rights of the licensee, or for the revocation of the license, as the case may be. The findings of facts made by the Commission acting within its powers shall, in the absence of fraud, be conclusive.

Any party aggrieved by the action of the Commission in refusing to grant a license or in suspending or revoking a license may within ten days after the entry of such order of refusal, revocation or suspension file in the office of the Clerk of the Franklin Circuit Court an attested copy of the proceedings before the Commission, provided he shall first post a bond to secure the costs of the action in such sum as may be approved by the Clerk of the Circuit Court, with good and solvent surety. The Commission shall be a necessary part to all such appeals. The Circuit Court Clerk shall thereupon docket the case as though it were a petition in equity and shall immediately issue a summons for such Commission, and said summons shall be returned in the same manner as are summonses in equity cases. No formal pleadings shall be required in such appeals but the case shall be set down by the Court for as early as possible for a hearing, and after such hearing the Court shall enter a judgment sustaining or setting aside the order of the Commission. Either party may appeal to the Court of Appeals from the judgment of the Circuit Court in the same manner as an appeal can be taken from a judgment in equity cases.

§ 8. A non-resident of this state may become a real estate broker or a real estate salesman by conforming to all of the conditions of this paragraph and this Act.

In its discretion the Commission may recognize in lieu of

the statements required to accompany an application for license, the license issued to a non-resident broker, or salesman in such other State, upon payment of the license fee and the filing by the applicant with the Commission of a certified copy of applicant's license issued by such other state.

(a) Provided that such applicant, if a broker, shall maintain an active place of business in the state by which he is originally licensed; and

(b) Provided further that every non-resident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in the proper court of any county of this state in which a cause of action may arise in which the plaintiff may reside, by the service of any process or pleading authorized by the laws of this state or the Secretary of the Commission, said consent stipulating and agreeing that such service of such process or pleadings on said Secretary shall be taken and held in all Courts to be as valid and binding as if due service had been made upon said applicant in the State of Kentucky. Said instrument containing such consent shall be authenticated by the seal thereof, if a corporation, or by the acknowledged signature of a member or officer thereof, if otherwise. All such applications, except from individuals, shall be accompanied by the duly certified copy if the resolution of the proper officers or managing board, authorizing the proper officer to execute the same. In case any process or pleadings mentioned in the case are served upon the Secretary of the Commission, it shall be by duplicate copies, one of which shall be filed in the office of the Commission and the other immediately forwarded by registered mail to the main office of the applicant against which said process or pleadings are directed.

(c) Provided, further, however, that every non-resident of this state shall file a bond in form and content the same as is required of applicants under Section 4 of this Act.

§ 9. The Commission shall at least semi-annually publish a list of the names and addresses of all licensees licensed by it under the provision of this Act, and of all persons whose license has been suspended or revoked within one (1) year, together with such other information relative to the enforcement of the provisions of this Act as it may deem of interest to the public. One of such lists shall be mailed to the County Clerk in each County of the State and shall be held by said County Clerk as a public record. Such lists shall also be mailed by the Commission to any person in this state upon request.

§ 10. Any person or corporation violating a provision of this Act shall upon conviction thereof, if a person, be punished by a fine of not more than Five Hundred Dollars ($500.00) or by imprisonment for a term of not to exceed six months, or by both such fine and imprisonment, in the discretion of the Court, and if a corporation, be punished by a fine of not more than One Thousand Dollars ($1,000.00). Any officer or agent of a corporation, or member or agent of a copartnership or association, who shall personally participate in or be accessory to any violation of this Act, by such copartnership, association, or corporation, shall be subject to the penalties herein prescribed for individuals.

All fines and penalties shall be paid into the State Treasury by the collecting officer.

§ 11. If any section, subsection, sentence, clause, phrase or requirement of this Act is for any reason held to be unconstitutional, such decision shall not effect the validity of the remaining portions thereof. The Legislature hereby declared that it would have passed this Act and each section, subsection, sentence, clause, phrase, and requirement thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or requirements be declared unconstitutional.

§ 12. Nothing in this Act contained shall affect the

power of cities and towns to tax, license and regulate real estate brokers. The requirements hereof shall be in addition to the requirements of any existing or future ordinances of any city or town so taxing, licensing, or regulating real estate brokers.

By Mr. Wylie:

H. Res. 53. Joint Resolution authorizing and permitting G. B. Hall to sue the Commonwealth of Kentucky and the State Highways Commission or either.

Said Resolution is as follows, viz.:

Whereas, On or about May 7, 1934, G. B. Hall, of Floyd County, while riding in an automobile on U. S. Highway No. 23, was run into by a grader which was owned at the time and being operated by the employees of the State Highway Commission and was severely, painfully and permanently injured on and about the head and face, causing a derangement of the mind.

Whereas, It is claimed that said collision was entirely caused and brought about by the gross negligence and gross carelessness of the agents, servants and employees of the said State Highway Commission in the operation of said grader belonging to the State of Kentucky or the State Highway Commission; and

Whereas, He sustained said serious, painful and permanent injuries because of the alleged carelessness and negligence of the said employees while in the discharge and conduct of the state's business: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That said G. B. Hall be, and he hereby is authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either in the Circuit Court of

the county of his residence, for such damages as he may have suffered if any, by reason of any injuries received by him through the carelessness or negligence of the State Highway Commission, its agents or employees. Said suit shall be for any amount not exceeding the sum of $5,000.00, and in the event any judgment is recovered by said G. B. Hall in said suit for injuries to himself, or same is compromised or settled, same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer and paid out of the general fund.

By Mr. McDermott:

H. Res. 54. Resolution authorizing Mrs. Alice Maher to sue the Commonwealth of Kentucky, and the Kentucky Emergency Relief Administration, or its successor, or either of them, and the Statute of Limitation not to apply until from the passage of this resolution.

Said resolution is as follows, viz.:

Whereas, On the 24th day of October, 1935, and prior thereto, Mrs. Alice Maher was employed by the Kentucky Emergency Relief Administration in the conduct of its operations; and

Whereas, Said Mrs. Alice Maher, while in the performance of her duties was injured through the negligence of some person in the operation of the elevator in the building in which she was employed, and incurred expenses in the sum of Three Hundred Eighty-Two and 95/100 ($382.95) Dollars for the treatment of said injuries: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That Mrs. Alice Maher, of Newport, Campbell County, Kentucky, be and she is hereby authorized, empowered, and permitted, to sue the Commonwealth of Kentucky, and the

Kentucky Emergency Relief Administrator or its successor, or either of them, in the Campbell Circuit Court for such damages as she may have sustained, if any, by reason of being injured by the falling or operation of the elevator and elevator gate in the building at Ninth and Orchard Streets in the City of Newport, Campbell County, Kentucky, and which building was leased by the Kentucky Emergency Relief Administration for the conduct of its business. And caused by the negligence of the agents, servants, and employees of the Commonwealth of Kentucky, or the Kentucky Emergency Relief Administration, or its successors, or either of them.

And in such suit she shall be permitted to show all the facts and circumstances as to whether or not the employees or any employee of the Commonwealth of Kentucky, or the Kentucky Emergency Relief Administration were negligent in reference to said elevator and elevator gate and shaft, or negligent in any manner in the care and operation of the elevator in said building, on the part of the Commonwealth of Kentucky, or the Kentucky Emergency Relief Administration, their agents, servants, and employees; and if a jury shall decide that there was negligence on the part of any such employee or employees of the Commonwealth of Kentucky or the Kentucky Emergency Relief Administration, and that as a direct and proximate result thereof said Mrs. Alice Maher received her injuries, then she may recover of the Commonwealth of Kentucky, or the Kentucky Emergency Relief Administration, or both, such sum or sums as will fairly and reasonably compensate her for the damage sustained, not exceeding Five Hundred ($500.00) Dollars.

In the event a judgment is recovered by said Mrs. Alice Maher in said suit as damages, same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer. The Commonwealth of Kentucky and the Kentucky Emergency Relief Administration, or its successors, or either of them, and the said Mrs. Alice Maher shall have the

right to appeal as in any other civil case. The recovery herein shall be limited to and not exceed Five Hundred ($500.00) Dollars.

By Mr. Byers:

H. Res. 55. Resolution authorizing E. S. Howard to sue the Commonwealth of Kentucky and the State Highway Commission of Kentucky.

Said resolution is as follows, viz.:

Whereas, the State Highway Commission of Kentucky constructed a public bridge across Rough River at Hartford, Kentucky, in Ohio County, which work was begun about June, 1934, and completed in the fall of 1934; and,

Whereas, said work or construction was performed by Ruby Lumber Company, contractors, employed by the State Highway Commission of the Commonwealth of Kentucky; and,

Whereas, said contractors of the State Highway Commission of the Commonwealth of Kentucky removed the metal tilings from the drainage and crossing into and upon the property of E. S. Howard, and elevated the highway, being Highway No. 71, some three or more feet in front of said property of the said E. S. Howard, and left an open ditch all along said property in such a way that prohibits egress and ingress and excavated a large amount of land belonging to the said Howard and left said property in such condition as to cause large ditches or gullies to wash along the entire front adjoining the highway and leaving same without any approach to enter said property in such a manner as to greatly injure and damage the said E. S. Howard; and,

Whereas, by reason of the negligent construction and maintenance the property owned by E. S. Howard, in the city limits of Hartford, adjacent to Highway No. 71 and adjacent

to the said bridge, has been greatly injured and damaged because of the destruction of the crossings, the large ditches along the front prohibiting his egress and ingress and by reason of removing his soil making the property practically worthless; and,

Whereas, the said E. S. Howard alleges and claims that said damage and injury to his property was caused entirely by the negligence and carelessness of the State Highway Commission, its agents and employees in the construction and maintenance of said bridge and highway; and,

Whereas, if the said injury and damages to said land or property was caused by the negligence and carelessness of the State Highway Commission, its agents and employees the said E. S. Howard should be compensated for his drainage and injury to his property: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That E. S. Howard be and he is hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission of Kentucky, in the Ohio Circuit Court for such damage as he may have sustained, if any, by reason of any injury or damage to his property through the carelessness or negligence of the State Highway Commission of Kentucky, its agents or employees and in thet event any judgment is recovered by the said E. S. Howard in said suit for damages to his land or property, same shall be paid by the Auditor by warrant on the Treasurer.

Either party to said suit may appeal from any judgment which may be rendered in the Ohio Circuit Court to the Court of Appeals, and the case may be settled and adjusted with the consent of the Attorney General of Kentucky in the same way as any other civil action.

By Mr. Gnau:

H. Res. 57. Joint Resolution providing for the payment of Four Hundred and Seventy-Five Dollars ($475.00) out of the General Expenditure Fund for the purpose of paying to M. Livingston & Company, Wholesale Grocers of Paducah, Kentucky, its refund for license taxes paid by it to the Commonwealth of Kentucky over and above the amount provided for by law, and declaring an emergency to exist.

Said resolution is as follows, viz.:

Whereas, between the years 1918 and 1926 the said M. Livingston & Company, Wholesale Grocers, of Paducah, Kentucky, paid to the State Tax Commission license taxes in excess of the amount provided for by law; and,

Whereas, the law does not authorize the State Tax Commission to refund the amount so paid; and,

Whereas, said Tax Commission admits the same should be refunded to the said M. Livingston & Company: Now, Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby appropriated out of the General Expenditure Fund of the Commonwealth of Kentucky the sum of Four Hundred and Seventy-Five Dollars ($475.00) for the purpose of paying to M. Livingston & Company, Wholesale Grocers of Paducah, Kentucky, its refund for taxes paid by it to the Commonwealth over and above the amount provided for by law.

§ 2. That it shall be the duty of the Auditor of Public Accounts of the Commonwealth of Kentucky to draw his warrant upon the Treasurer for said sum, and when done, it shall be the duty of the State Treasurer to pay said warrant.

§ 3. Inasmuch as the refund should have been made, an emergency is declared to exist and this Act shall become effective upon its passage and approval.

A message was received from the Senate announcing that they had passed bills and resolutions which originated in that body, entitled:

S. B. 5. An Act relating to registration of voters in this Commonwealth.

S. B. 97. An Act providing for the acquisition by the Commonwealth of Kentucky of the stereotype plates, books, copyrights and all other proprietary rights, etc.

S. B. 112. An Act making it unlawful for any person or persons to loaf or loiter in any church or school building or upon the grounds for any purpose other than those authorized by the governing body of said church or school, etc.

S. B. 53. An Act empowering any city or town owning and operating a public water supply system to extend said system into any territory contiguous to and within five miles of its limits, etc.

S. B. 138. An Act to authorize cities of the first class to construct law school buildings, etc.

S. B. 110. An Act making it a misdemeanor punishable by fine and imprisonment for anyone failing and refusing to extinguish any fire that he may originate or start for any purpose within the territory of any forest reserve or park.

S. B. 38. An Act appropriating the sum of $75.00 per month for the use of the widow and children of Powell Hayes, deceased.

S. B. 37. An Act appropriating the sum of $75.00 per month for the use of the widow and children of Robert Rowland, deceased.

S. B. 31. An Act to amend Section 1142a relating to credit for imprisonment during inability to secure bail.

S. B. 76. An Act to repeal and re-enact Section 2043-12, Supplement, Carroll's Kentucky Statutes, 1930 Edition, the same being Section 12 of Chapter 68 of the Acts of the General Assembly of 1930 and entitled "An Act concerning the manner of commitment of incompetent veterans of the World War."

S. B. 18. An Act to create a Game and Fish Commission, to define its powers and duties, etc.

S. Res. 19. Resolution authorizing R. A. Bodkin and W. H. Coathes to sue the Commonwealth.

S. Res. 18. Resolution authorizing Boone Dick to sue the Commonwealth.

S. Res. 17. Resolution authorizing R. E. Stanley to sue the Commonwealth.

S. Res. 7. Resolution authorizing R. L. Bayne and Dell Brown to sue the Commonwealth.

S. Res. 24. Resolution authorizing Nina Ruth Bennett to sue the Commonwealth.

S. Res. 22. Resolution authorizing Charlie Coogle to sue the Commonwealth.

Ordered that said bills and resolutions be printed and referred,

To Committee on Rules.

Dr. Shields of the Committee on Rules, to which the same had been previously referred, reported bills and resolutions of the following titles, viz.:

H. B. 160. An Act to amend and re-enact Chapter 65, Article V, Section 4 of the 1934 Kentucky Acts, pertaining to the merging of school districts.

H. B. 212. An Act to amend and re-enact Section 244, Kentucky Criminal Code of Practice, relating to the keeping together and separation of jurors.

H. B. 344. An Act to amend and re-enact Section 4399-43 of Carroll's Kentucky Statutes, relating to the bond and duties of Depositories of School Funds.

H. B. 210. An Act repealing Section 241 of Carroll's Kentucky Criminal Code of Practice, 1932 Edition of Baldwin.

H. B. 211. An Act repealing Section 240 of Carroll's Kentucky Criminal Code of Practice, Baldwin's 1932 Edition.

H. B. 316. An Act to amend and re-enact Section 1093, Carroll's Kentucky Statutes, Official Edition, revised 1930.

H. B. 114. An Act referring to the trapping of fur-bearing animals.

H. B. 24. An Act to amend and re-enact Section 3187d, Kentucky Statutes.

H. B. 79. An Act repealing and re-enacting Section 1596a-14 Carroll's Kentucky Statutes, 1930 Revised Edition, providing for the compensation of county election commissioners.

H. B. 141. An Act to provide for the stabilization of the milk industry in the State of Kentucky.

H. B. 209. An Act to amend Section 127 of the Criminal Code of Practice, Baldwin's Revision of 1932, so that the offenses of forgery and uttering a forged instrument may be charged in one indictment.

H. B. 372. An Act to repeal, amend and re-enact Chapter 139, subsection D of Sections 5, 7, 9, 12, 19 and 20 of the Acts of the General Assembly of 1932, relating to qualification of registered barbers, beauty specialists, etc.

H. B. 214. An Act to amend and re-enact Sections 317, 326, 327, 328 of the Civil Code of Practice so as to permit the finding of special verdicts by juries in addition to general or separate general verdicts.

H. B. 213. An Act repealing Sections 203 and 204 of Carroll's Kentucky Criminal Code of Practice, Baldwin's 1932 Revision, and providing the number of peremptory challenges which both the Commonwealth and the defendant may have in the selection of the jury in felony, etc.

H. B. 274. An Act amending Section 2739g-2 (A), Carroll's Kentucky Statutes, 1930 Edition, relating to the registration of automobiles and trucks.

H. B. 351. An Act relating to revenue and taxation and imposing an excise tax on gasoline, etc.

H. B. 301. An Act providing for local option elections and prohibiting sale, barter and loan of intoxicating liquors in local option territory.

H. B. 233. An Act to repeal and re-enact Section 4389-15 of Carroll's Supplement relating to the duties of County Boards of Education.

H. Res. 32. Resolution providing for a bonus for teachers in 43 counties and 12 independent graded school districts of this Commonwealth.

S. Res. 16. Resolution providing for the payment of $5,973.73 out of the General Expenditure Fund for the purpose of paying to the State Journal its claim for services rendered.

H. Res. 50. Resolution for the benefit of the city of Princeton.

H. B. 427. An Act to provide Old Age Assistance, to prescribe qualifications, etc.

H. B. 451. An Act to repeal Section 2380-7 of Carroll's Kentucky Statutes, 1930 Edition, and re-enact in lieu thereof the following which relates to ditches and drains.

H. B. 441. An Act relating to Banks and Banking.

H. B. 488. An Act creating a division of loose leaf tobacco markets or warehouses, etc.

H. B. 479. An Act providing that teachers, instructors, professors and administrative officers in any school, college, university or other educational institutions, etc.

H. B. 415. An Act to repeal and re-enact Section 237 of the Kentucky Criminal Code relating to separate trials.

H. B. 473. An Act to amend Chapter 112 of the Acts of the General Assembly, 1928, relating to the pay of officers of election.

S. B. 37. An Act appropriating the sum of $75.00 per month for the use of the widow and children of Robert Rowland, deceased.

S. B. 38. An Act appropriating the sum of $75.00 per month for the use of the widow and children of Powell Hayes, deceased.

S. Res. 24. Resolution permitting Ruth Bennett to sue the Commonwealth.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed in the Calendar.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 168. An Act concerning railroads, regulating the operation of trains, engines, motors, locomotive cranes, etc.

H. B. 163. An Act relating to the printing by state contract of any or all textbooks for the eight grades of the public schools of Kentucky.

H. B. 337. An Act to prohibit marathons, danceathons, walkathons, etc.

H. B. 239. An Act providing that bridge tolls paid by sheriffs or other peace officers in the discharge of their duties in connection with any proceeding or litigation may be taxed as costs.

S. B. 71. An Act to make unlawful and fraudulent setting back or disconnecting of speedometers on motor vehicles for the purpose of effecting a sale of such vehicle.

H. B. 121. An Act relating to the employment of State prisoners; definition of terms used in this Act, etc.

H. Res. 38. Resolution of the House and Senate for the payment of certain witness fees named therein.

S. B. 79. An Act relating to real estate mortgages.

H. Res. 38. Resolution providing for payment of certain witness fees named therein.

H. B. 371. An Act to repeal, amend, and re-enact Chapter 7, Section 22 of the Acts of the General Assembly of 1912, being Section 1550-22 of Carroll's Kentucky Statutes, relating to appointment of officers in primary elections, etc.

H. B. 355. An Act relating to licensing of contracting and master journeymen and apprentice painters, etc.

H. B. 276. An Act relating to the settlement of decedent's estates, etc.

H. B. 189. An Act to subject to execution and garnishment salaries of State, County and Municipal employees.

S. B. 78. An Act prohibiting the sale or removal of standing timber.

S. Res. 10. Resolution memorializing Congress and expressing assent to provisions of Act approved June 28, 1925.

H. B. 37. An Act providing for scholarships and educational privileges for World War Veterans.

H. B. 352. An Act relating to the Primary System of Roads and Highways.

H. B. 353. An Act relating to the Primary System of Roads and Highways.

H. B. 354. An Act relating to the Primary System of Roads and Highways.

H. B. 355. An Act relating to the Primary System of Roads and Highways.

H. B. 356. An Act relating to the Primary System of Roads and Highways.

H. B. 357. An Act relating to the Primary System of Roads and Highways.

H. B. 358. An Act relating to the Primary System of Roads and Highways.

H. B. 360. An Act relating to the Primary System of Roads and Highways.

H. B. 361. An Act relating to the Primary System of Roads and Highways.

H. B. 362. An Act relating to the Primary System of Roads and Highways.

H. B. 363. An Act relating to the Primary System of Roads and Highways.

H. B. 364. An Act relating to the Primary System of Roads and Highways.

H. B. 381. An Act relating to the Primary System of Roads and Highways.

H. B. 382. An Act relating to the Primary System of Roads and Highways.

H. B. 383. An Act relating to the Primary System of Roads and Highways.

H. B. 384. An Act relating to the Primary System of Roads and Highways.

H. B. 385. An Act relating to the Primary System of Roads and Highways.

H. B. 386. An Act relating to the Primary System of Roads and Highways.

H. B. 387. An Act relating to the Primary System of Roads and Highways.

H. B. 388. An Act relating to the Primary System of Roads and Highways.

H. B. 389. An Act relating to the Primary System of Roads and Highways.

H. B. 390. An Act relating to the Primary System of Roads and Highways.

H. B. 391. An Act relating to the Primary System of Roads and Highways.

H. B. 392. An Act relating to the Primary System of Roads and Highways.

H. B. 393. An Act relating to the Primary System of Roads and Highways.

H. B. 394. An Act relating to the Primary System of Roads and Highways.

H. B. 395. An Act relating to the Primary System of Roads and Highways.

H. B. 396. An Act relating to the Primary System of Roads and Highways.

H. B. 397. An Act relating to the Primary System of Roads and Highways.

H. B. 398. An Act relating to the Primary System of Roads and Highways.

H. B. 399. An Act relating to the Primary System of Roads and Highways.

H. B. 400. An Act relating to the Primary System of Roads and Highways.

H. B. 401. An Act relating to the Primary System of Roads and Highways.

H. B. 408. An Act relating to the Primary System of Roads and Highways.

H. B. 409. An Act relating to the Primary System of Roads and Highways.

H. B. 416. An Act relating to the Primary System of Roads and Highways.

H. B. 417. An Act relating to the Primary System of Roads and Highways.

H. B. 418. An Act relating to the Primary System of Roads and Highways.

H. B. 419. An Act relating to the Primary System of Roads and Highways.

H. B. 420. An Act relating to the Primary System of Roads and Highways.

H. B. 421. An Act relating to the Primary System of Roads and Highways.

H. B. 422. An Act relating to the Primary System of Roads and Highways.

H. B. 423. An Act relating to the Primary System of Roads and Highways.

H. B. 429. An Act relating to the Primary System of Roads and Highways.

H. B. 430. An Act relating to the Primary System of Roads and Highways.

H. B. 431. An Act relating to the Primary System of Roads and Highways.

H. B. 432. An Act relating to the Primary System of Roads and Highways.

H. B. 433. An Act relating to the Primary System of Roads and Highways.

H. B. 434. An Act relating to the Primary System of Roads and Highways.

H. B. 438. An Act relating to the Primary System of Roads and Highways.

H. B. 455. An Act relating to the Primary System of Roads and Highways.

H. B. 456. An Act relating to the Primary System of Roads and Highways.

H. B. 457. An Act relating to the Primary System of Roads and Highways.

H. B. 458. An Act relating to the Primary System of Roads and Highways.

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H. B. 464. An Act relating to the Primary System of Roads and Highways.

H. B. 465. An Act relating to the Primary System of Roads and Highways.

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H. B. 469. An Act relating to the Primary System of Roads and Highways.

H. B. 470. An Act relating to the Primary System of Roads and Highways.

H. B. 490. An Act relating to the Primary System of Roads and Highways.

H. B. 491. An Act relating to the Primary System of Roads and Highways.

H. B. 492. An Act relating to the Primary System of Roads and Highways.

H. B. 493. An Act relating to the Primary System of Roads and Highways.

H. B. 494. An Act relating to the Primary System of Roads and Highways.

H. B. 495. An Act relating to the Primary System of Roads and Highways.

H. B. 496. An Act relating to the Primary System of Roads and Highways.

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H. B. 498. An Act relating to the Primary System of Roads and Highways.

H. B. 499. An Act relating to the Primary System of Roads and Highways.

S. B. 26. An Act relating to the Primary System of Roads and Highways.

S. B. 27. An Act relating to the Primary System of Roads and Highways.

S. B. 35. An Act relating to the Primary System of Roads and Highways.

S. B. 58. An Act relating to the Primary System of Roads and Highways.

S. B. 67. An Act relating to the Primary System of Roads and Highways.

S. B. 80. An Act relating to the Primary System of Roads and Highways.

S. B. 81. An Act relating to the Primary System of Roads and Highways.

S. B. 84. An Act relating to the Primary System of Roads and Highways.

S. B. 96. An Act relating to the Primary System of Roads and Highways.

S. B. 98. An Act relating to the Primary System of Roads and Highways.

S. B. 99. An Act relating to the Primary System of Roads and Highways.

S. B. 101. An Act relating to the Primary System of Roads and Highways.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

A message was received from the Senate announcing that they had passed bills which originated in the Senate entitled:

S. B. 52. An Act authorizing water districts in counties of this State which have been organized and operating under and in pursuance to an Act of the General Assembly, etc.

S. B. 25. An Act to repeal Section 341 and to amend and re-enact Section 340 of Article 5, Chapter 2, Title IX of the Kentucky Code of Practice relating to new trials.

S. B. 70. An Act repealing and re-enacting Section 1596a-14, Carroll's Kentucky Statutes, providing for the compensation of county election commissioners, etc.

Ordered that said bills be printed and referred,

To Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 83. An Act to amend and re-enact Section 3142b-4, Carroll's Kentucky Statutes, 1933 Supplement, so as to provide for the levy of a tax to maintain the Pension Fund for the pensioning of Police and Firemen in cities of the second class and to provide for the sources of said fund and the investment of same.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there shall be levied and set apart by the Board of Commissioners of cities of the second class a tax for the year nineteen hundred and thirty-four and for each and every year thereafter, not exceeding five cents on each one hundred dollars value of taxable property in said cities for said year as a fund for the pensioning of any policeman or fireman who has served in the police and fire department for at least a period of twenty years, the last five years of which shall be consecutive, next before any application for pension shall be filed or allowed, and who shall retire from the service after said period, and for the further purpose of pensioning any member of the police and fire departments who may become permanently crippled while in the service and on duty, and for the further purpose of pensioning the widow or dependents, children under the age of fourteen years, or either of them, or any member of either department who may lose his life while in the service and on active duty. And all rewards, fees, proceeds or gifts and emoluments that may be paid or given on account of extraordinary service of any officer, member or employee of the department shall be paid in the treasury to the credit of the police and firemen's pension fund.

The payment so made, together with the tax levy aforesaid, shall constitute and be kept as a fund to be called the Police and Firemen's Pension Fund, and the said board heretofore designated is hereby declared to be the trustee of said fund, and they shall have power, and it shall be their duty, from time to time, to invest the same, in whole or in part, as they shall deem most advantageous for the objects of said fund; and they are empowered to make all the necessary contracts and to take all the necessary remedies in the premises, and as so amended said section is hereby re-enacted and all laws or parts of laws in conflict herewith are repealed.

Mr. Myers offered the following amendment to said bill, viz.:

Amend H. B. 83 by adding after the word "class" in line 2, page 1, the following words "and by the Common council or Commissioners of cities of the third class".

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	G. M. Ballard	Ollie J. Bowen
H. T. Baker	B. F. Bedford	Wallace Brown
W. T. Baker	Reuben J. Boling	Dr. R. A. Byers

Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Howard G. Early
Garland Embry
Clarence E. Evans
Walter R. Fannin
Chas. P. Farnsley
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
James Garnett, Jr.
Ferd A. Gnau
Eugene Gough
Ben Grogan
Jas. T. Hamilton
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
Duke Mayfield
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

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There voted in the negative—

George S. Clay

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Mr. Myers offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 83 by adding after the words "second class" the words "and third class".

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Myers moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, Mr. Carter moved that a bill entitled:

H. B. 279. An Act to amend and re-enact Section 20 of Article V, Chapter 65 of 1934 Acts of the General Assembly of Kentucky, relating to elections for membership on Board of Education, etc.

Which was reported on January 28, by the Committee on Education No. 1,

With the expression of opinion that said bill ought not to pass,

Be advanced to a reading, the report of the Committee to the contrary notwithstanding.

Said motion was agreed to.

Thereupon said bill was read at length the first time and ordered to be placed on the Calendar.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 19. Resolution authorizing Joe Sparrow to sue the Commonwealth of Kentucky and the State Highway Commission of Kentucky or either.

With a committee amendment thereto.

Said resolution is as follows, viz.:

Whereas, The State Highway Commission of Kentucky during the years of 1932 and 1933 constructed a public highway on Project No. 20 in Anderson County, Kentucky, and

Whereas, The grade and drain of said road was constructed by the Phelps Construction Company, contractors, acting pursuant to their contract with the said State Highway Commission of Kentucky, and

Whereas, Said road runs over and through the lands of Joe Sparrow on Salt River near the village of Glensboro in Anderson County, Kentucky, and said grade and drain was so constructed and has since been maintained by the said State Highway Commission of Kentucky, through its agents and employees, as not to have a sufficient amount of openings in the levee thereby causing the water in creeks and branches flowing into said river to be diverted and to accumulate and stagnate on the north side of said levee on the lands of the said Joe Sparrow around his dwelling house and outbuildings, thereby diminishing the value of said buildings and causing a large part of his farm to be unfit for cultivation, and

Whereas, Said water concentrates in small openings in the levee with such force and the drainage is otherwise so constructed that the natural course of said water is changed and can not pass through the levee without injury to the lands of the said Joe Sparrow on the south side of said levee, and

Whereas, The said Joe Sparrow alleges and claims that his lands have been greatly injured and damaged by the negligent and careless construction and maintenance of said road and that said damage and injuries to his lands were caused entirely by the negligence and carelessness of said State Highway Commission of Kentucky, its agents and employees:

Now, Therefore, To determine by judicial action the liability of the State Highway Commission of Kentucky and

the Commonwealth of Kentucky for the alleged damage and injury aforesaid,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That Joe Sparrow, of Lawrenceburg, Anderson County, Kentucky, be and he is hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission of Kentucky, or either, in the Anderson Circuit Court for such damage as he may have sustained, if any, by reason of any injury or damage to his lands caused by the negligence or carelessness of the State Highway Commission of Kentucky, its agents or employees, and in the event judgment is obtained by the said Sparrow in said suit for damage to his lands, same shall be paid by the Auditor of Public Accounts by warrant on the Treasurer, or as other obligations of the said State Highway Commission of Kentucky are paid: Provided, however, that the amount of recovery by the said Joe Sparrow in said suit shall not exceed $4,500.00.

Either party to said suit may appeal from any judgment which may be rendered in the Anderson Circuit Court to the Court of Appeals, and the case may be settled and adjusted with the consent of the Attorney General of Kentucky in the same way as other civil cases.

Amend H. Res. 19 by striking out the words "or as other obligations of the said State Highway Commission of Kentucky are paid" in lines 10 and 11 of the printed bill and inserting in lieu thereof the words "and paid out of the general fund."

Said Amendment was agreed to.

Ordered that said resolution be engrossed and read the third time.

The Constitutional provision as to the third reading of

said resolution at length being dispensed with and the same being engrossed, said resolution was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

C. W. Anderson, Jr.	Ferd A. Gnau	Tyler Munford
H. T. Baker	Eugene Gough	Rodes K. Myers
W. T. Baker	Ben Grogan	J. C. Nickell
G. M. Ballard	Jas. T. Hamilton	Russell O'Neill
B. F. Bedford	W. L. Hampton, Jr.	Mel Petry
Douglas Bolling	Thomas W. Hines	A. W. Pfeiffer
Ollie J. Bowen	Price Holbrook	J. C. Ramey
Wallace Brown	Clyde S. Howard	Hobart Rayburn
Dr. R. A. Byers	Ira W. Hulette	L. K. Rice
Jas. C. Carter	Ben W. Johnson	Wade H. Riley
V. O. Chandler	J. H. Jones	W. T. Rollo
Floyd Clark	O. C. Jones	Carl Scheben
Roscoe Claxon	R. T. Kirkman	Carl Schneider
George S. Clay	J. F. Ladd	Ray O. Shehan
J. A. Coleman	Leslie Larrimore	Dr. B. F. Shields
Roy Conway	Robert E. Lee	P. L. Sidebottom
Herbert Cook	M. T. McCarthy	Chester D. Silvers
Harry Davis	T. B. McConnell	Bruce Sloan
Sam Dever	J. L. McDermott	H. C. Steely
Howard G. Early	Lloyd MacDonald	Henry Stewart
Garland Embry	W. F. McGary	Dr. H. S. Swope
Clarence E. Evans	Elmer McGlothen	W. R. Tapp
Walter R. Fannin	C. S. Matherly	J. J. Thomas
Chas. P. Farnsley	Duke Mayfield	R. Van Bever, Jr.
T. P. Fitzpatrick	G. S. Milam	S. J. Wagner
H. Myer Garner	W. H. Miller	Joseph L. Wall
G. W. Garrett	John B. Mollett	L. R. Wells
James Garnett, Jr.	W. E. Mull	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Mr. Bowen moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 203. An Act exempting persons engaged in, connected with or employed on any newspaper from disclosing in any legal proceeding or trial before any court, Grand Jury or Petit Jury, or the presiding officer of any tribunal, or his agent or agents, or before the General Assembly, or any Committee thereof, the source of any information procured or obtained by him and published in the newspaper on which he is engaged, connected with or employed.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

No person engaged, connected with, or employed on any newspaper shall be compelled to disclose in any legal proceeding or trial before any court, or before any Grand Jury of any county, or a Petit Jury of any Court, or before the presiding officer of any tribunal, or his agent or agents, or before the General Assembly, or any committee thereof, or before any City or County legislative body, or any committee thereof, or elsewhere, the source of any information procured or obtained by him, and published in the newspaper on which he is engaged, connected with, or employed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Clarence E. Evans
Walter R. Fannin
Chas. P. Farnsley
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
James Garnett, Jr.
Ferd A. Gnau
Eugene Gough
Ben Grogan
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Elmer McGlothen
C. S. Matherly
Duke Mayfield
G. S. Milam
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie
Mr. Speaker

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Those who voted in the negative were—

Henry H. Allen
G. M. Ballard
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Herbert Cook

Garland Embry W. L. Hampton, Jr. Lloyd MacDonald
Jas. T. Hamilton Thomas W. Hines W. H. Miller
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Resolved that the title thereof be as aforesaid.

Mr. Joe Robinson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 222. An Act relating to revenue and taxation and repealing Chapter 148 of the Acts of the General Assembly of 1934, being Section 4019, Kentucky Statutes, Baldwin's 1934 Kentucky Statutes Service.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. No State tax shall be levied, assessed or collected on real estate. Provided, however, that nothing in this Act shall be construed as releasing or prohibiting the collection of any real estate taxes which may be due the State at the time of the effective date of this Act.

§ 2. A tax at the rate of fifty cents (50c) upon each one hundred dollars ($100.00) of the value of all property which is directed by law to be assessed for taxation except real estate, and except as provided in paragraph (a) and (b) shall be paid annually by the owner, person, or corporation assessed.

(a) A tax at the rate of one-tenth of one per cent shall be paid annually upon the amount of deposits in any bank, trust company, or combined bank and trust company, organized under the laws of this State, or in any national bank of this State, as now provided by law; and

(b) Building and Loan Associations incorporated under the laws of this State, and making loans to members only, shall be assessed except as otherwise provided by law in the manner and at the rate now set forth in Chapter Fourteen (14) of the Acts of the extraordinary session of the General Assembly of 1917 (Sections 4019a-6, 4019a-7, 4019a-8, Kentucky Statutes, Carroll's 1930 Edition).

(c) The aggregate amount of taxes realized under this act shall be paid in to the State Treasury and credited to the General Fund to be distributed and applied as may be provided by law.

§ 3. The State Tax Commission shall have no power to increase or decrease the aggregate assessed valuation of the real estate of any county or taxing district thereof, or to increase or decrease the assessed valuation of real estate of any individual, company, association, co-partnership or corporation, either before or after the meeting of the county board of supervisors.

§ 4. Chapter one hundred forty-eight of the Acts of the General Assembly of 1934, being Section 4019, Kentucky Statutes, Baldwin's 1934 Kentucky Statutes Service, hereby is repealed in its entirety, and all other laws and parts of laws in conflict herewith, to the extent of such conflict, hereby are repealed.

Mr. Milam offered the following amendment to said bill, viz.:

Amend H. B. 222 by striking therefrom all of Section 1 of the printed bill and inserting in lieu thereof the following:

"That Chapter 148 of the Acts of the General Assembly of Kentucky, 1934 Regular Session, be repealed and re-enacted so that when re-enacted same shall read as follows, viz.:

§ 1. An Annual ad valorem tax for state purposes of one cent on each One Hundred ($100.00) Dollars of value of all real estate directed to be assessed for taxation shall be paid by the owner, person or corporation assessed."

Mr. Myers moved that the consideration of said bill be made a Special Order of the Day, for Tuesday, February 4, at two o'clock P. M.

Said motion was agreed to.

Mr. Hunnicut moved that the Speaker appoint a Committee of three members who shall draft suitable resolution requesting the Court of Appeals, under the provision of House Bill No. 8, to render an advisory opinion as to the constitutionality of said bill.

Said motion was agreed to.

Thereupon the Speaker appointed Messrs. Milam, Myers and Shields as members constituting said Committee.

Mr. Milam moved that the House do now recess, until three o'clock P. M.

Said motion was agreed to, and then the House recessed.

AFTERNOON SESSION

The hour of three o'clock P. M. having arrived the Speaker resumed the Chair and called the House to order.

Dr. Shields moved that Stanley Dickson, Jr., be appointed and Honorary Page of this House.

Said motion was agreed to.

Mr. Reuben Boling moved that a bill entitled:

H. B. 59. An Act to repeal Section 68b-1 to and including 68b-37 inclusive, relating to payment of taxes, records of same, payment of proceeds, for dogs, in its entirety, Kentucky Statutes, Carroll's 1930 Edition.

Be taken from the hands of the Committee on Rules and advanced to a reading.

Mr. John Robinson moved that said motion be laid on the table.

Said last named motion was disagreed to.

The yeas and nays being required thereon by Messrs. McCarthy and Robinson were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	T. P. Fitzpatrick	Wade H. Riley
C. W. Anderson, Jr.	James Garnett, Jr.	Joe E. Robinson
W. T. Baker	Ferd A. Gnau	John C. Robinson
B. F. Bedford	Ira W. Hulette	A. W. Ross
Ollie J. Bowen	J. H. Jones	Carl Scheben
Wallace Brown	O. C. Jones	Carl Schneider
Roscoe Claxon	J. L. McDermott	Dr. B. F. Shields
George S. Clay	Elmer McGlothen	P. L. Sidebottom
Stanley S. Dickson	Rodes K. Myers	S. J. Wagner
George W. Dunlap	A. W. Pfeiffer	L. R. Wells
Howard G. Early	L. K. Rice	W. G. Williams

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Those who voted in the negative were—

F. T. Allen	Reuben J. Boling	V. Q. Chandler
H. T. Baker	Douglas Bolling	J. A. Coleman
G. M. Ballard	Dr. R. A. Byers	Roy Conway

Harry Davis	Leslie Larrimore	Hobart Rayburn
Sam Dever	Robert E. Lee	W. T. Rollo
Garland Embry	M. T. McCarthy	Ray O. Shehan
Clarence E. Evans	Lloyd MacDonald	Bruce Sloan
Walter R. Fannin	W. H. Miller	H. C. Steely
H. Myer Garner	John B. Mollett	Henry Stewart
G. W. Garrett	W. E. Mull	Dr. H. S. Swope
Jas. T. Hamilton	Tyler Munford	J. J. Thomas
Thomas W. Hines	J. C. Nickell	R. Van Bever, Jr.
Price Holbrook	Russell O'Neill	Charles Wylie
Clyde S. Howard	Mel Petry	
R. T. Kirkman	J. C. Ramey	—43

The motion as made by Mr. Reuben Boling was then disagreed to.

The yeas and nays being taken thereon were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Jas. T. Hamilton	Mel Petry
G. M. Ballard	Thomas W. Hines	J. C. Ramey
Reuben J. Boling	Price Holbrook	Hobart Rayburn
Dr. R. A. Byers	R. T. Kirkman	Wade H. Riley
V. O. Chandler	Leslie Larrimore	W. T. Rollo
J. A. Coleman	Robert E. Lee	Ray O. Shehan
Sam Dever	M. T. McCarthy	Bruce Sloan
Garland Embry	W. H. Miller	H. C. Steely
Walter R. Fannin	John B. Mollett	Henry Stewart
Chas. P. Farnsley	W. E. Mull	J. J. Thomas
H. Myer Garner	Tyler Munford	R. Van Bever, Jr.
G. W. Garrett	J. C. Nickell	
James Garnett, Jr.	Russell O'Neill	—37

Those who voted in the negative were—

F. T. Allen	W. T. Baker	Ollie J. Bowen
Henry H. Allen	B. F. Bedford	Floyd Clark
C. W. Anderson, Jr.	Douglas Bolling	Roscoe Claxton

George S. Clay	O. C. Jones	Carl Schneider
Roy Conway	C. S. Matherly	Dr. B. F. Shields
Herbert Cook	J. L. McDermott	P. L. Sidebottom
Stanley S. Dickson	Elmer McGlothen	Chester D. Silvers
George W. Dunlap	Rodes K. Myers	Dr. H. S. Swope
Howard G. Early	A. W. Pfeiffer	W. R. Tapp
Clyde S. Howard	L. K. Rice	L. R. Wells
Ira W. Hulette	Joe E. Robinson	W. G. Williams
John M. Hunnicut	John C. Robinson	Charles Wylie
Ben W. Johnson	A. W. Ross	
J. H. Jones	Carl Scheben	—40

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 303. An Act to repeal and re-enact Section 1550-17 of Carroll's Kentucky Statutes, 1933 Supplement, being Chapter 85 of the Acts of the General Assembly of 1932 and relating to ballots in primary elections.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1550-17 of Carroll's Kentucky Statutes, 1933 Supplement, being Chapter 85 of the Acts of the General Assembly of 1932, be repealed and re-enacted so as to read as follows:

There shall be a separate ballot for each political party subject to this act, at the primary election provided for herein. Such ballots shall be printed in substantially the same manner as now provided by law in case of regular elections, except that on the back thereof shall be printed the words, "Official Primary Ballot," and at the head thereof shall be printed the words "Official Primary Ballot," together with proper party name and the party emblem. The party emblem in each case

shall be the same as that used at the last preceding regular election, unless sixty days before the primary election the proper party authority certify a different emblem to the secretary of state, in which event he shall certify the new emblem to the county clerks as herein provided.

All the official ballots designed to be voted in the primary nominating elections shall be printed in black ink upon a good quality of white ballot paper. The arrangement of each ballot shall be exactly the same for each political party, and the size and the printing shall be the same for each political party. Duplicate impressions of the ballots for each political party voted for at every primary election shall be printed upon cheaper colored paper. These colored ballots shall be used solely as sample ballots for the information and convenience of voters, and they shall not be voted or counted.

The ballots shall be printed so as to give each elector a clear opportunity to designate his choice of candidates for nomination by making with the stencil a cross in the square after the name of each candidate for whom he wishes to vote for nomination; and on the ballot may be printed such words as will aid the elector to do this, such as, "Vote for one," "Vote for two," and the like, to inform the elector of the number of candidates for whom he is entitled to vote for each office.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Ben Grogan	Mel Petry
G. M. Ballard	W. L. Hampton, Jr.	A. W. Pfeiffer
B. F. Bedford	Thomas W. Hines	J. C. Ramey
Reuben J. Boling	Price Holbrook	Hobart Rayburn
Douglas Bolling	Clyde S. Howard	L. K. Rice
Ollie J. Bowen	Ira W. Hulette	Wade H. Riley
Wallace Brown	John M. Hunnicut	W. T. Rollo
Dr. R. A. Byers	Ben W. Johnson	A. W. Ross
V. O. Chandler	J. H. Jones	Carl Schneider
Floyd Clark	O. C. Jones	Ray O. Shehan
Roscoe Claxon	R. T. Kirkman	Dr. B. F. Shields
George S. Clay	Leslie Larrimore	P. L. Sidebottom
J. A. Coleman	Robert E. Lee	Chester D. Silvers
Roy Conway	M. T. McCarthy	Bruce Sloan
Herbert Cook	T. B. McConnell	H. C. Steely
Harry Davis	J. L. McDermott	Henry Stewart
Sam Dever	Lloyd MacDonald	Dr. H. S. Swope
Stanley S. Dickson	W. F. McGary	W. R. Tapp
George W. Dunlap	Elmer McGlothen	J. J. Thomas
Howard G. Early	C. S. Matherly	R. Van Bever, Jr.
Garland Embry	Duke Mayfield	S. J. Wagner
Walter R. Fannin	W. H. Miller	Joseph L. Wall
T. P. Fitzpatrick	John B. Mollett	Henry Ward
H. Myer Garner	W. E. Mull	L. R. Wells
G. W. Garrett	Tyler Munford	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
Eugene Gough	Russell O'Neill	—80

Those who voted in the negative were—.

C. W. Anderson, Jr. Chas. P. Farnsley Jas. T. Hamilton
Clarence E. Evans —4

Resolved that the title thereof be as aforesaid.

Mr. Clay moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 314. An Act to repeal and re-enact Section 1460 of Carroll's Kentucky Statutes, 1933 Supplement, being Chapter 82, Paragraph 1, of the Acts of the General Assembly of 1932, relating to the form, arrangement and printing of ballots in general elections.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1460 of Carroll's Kentucky Statutes, 1933 Supplement, being Chapter 82, Paragraph 1, of the Acts of the General Assembly of 1932, be repealed and re-enacted to read as follows:

The county clerks of the several counties shall cause the names of all candidates of their respective jurisdictions, where nominations for any office specified in the ballot have been duly made and not withdrawn, in accordance herewith, to be printed on one ballot all nominations of any party or group of petitioners, as designated by them in their certificate or petition; or if none be designated, under some suitable title and device. If the same device for designating candidates be selected by two parties or groups of petitioners it shall be given to the one which first selected it, and the clerk shall select a suitable device for the other. The arrangement of the ballot shall in general conform, as nearly as practicable, to the plan hereinafter given, and the devices named and lists of the candidates of the various parties shall be printed in parallel columns, in such order as the Secretary of State may direct, precedence, however, being given to the party which

polled the higher number of votes for the head of the ticket in the last preceding election. The device of each party shall be placed at the head of the list of candidates of the party. The device shall not be enclosed in a square, but immediately under the device shall be placed a circle of one inch in diameter. Immediately under it shall be placed the name or title of the party ticket, and immediately under the name or title the list of candidates of the party, the name of each candidate having immediately on its right a small square large enough to contain the cross-mark by which the voter is required to designate his vote. Underneath the name of each candidate shall be left a blank space large enough to contain a written name.

At the top of the ballot and separated from it by a perforated line shall be a stub, containing the consecutive number of the ballot and a space for the name and residence of the voter. No other or secondary stub shall be attached to the ballot.

On the back shall be printed "Official Ballot," the date of the election and facsimile of the signature of the clerk, who has caused the ballot to be printed. There shall also be printed on the back of the ballot a blank line followed by the word "Judge", and after the ballot has been detached from the stub in the book of ballots and before the ballot is delivered to the voter to be voted one of the judges shall sign his name on such blank line and no ballot not so signed by one of the judges shall be counted by the canvassing board whose duty it is to certify the results of the election. Should an elector desire to vote for each and every candidate of one party he shall make a cross-mark (X) in the circle under the device of said party and the vote shall be counted for all candidates under said device: Provided, however, if a cross-mark (X) be made in the circle under the party device and a cross-mark (X) be also made after one or more candidates of a different party, or parties, the vote shall be counted for the candidates so

marked, and not for the candidates for the same offices of the party so marked, but the vote shall be counted for the other candidates of said party.

Mr. Myers offered the following amendment to said bill, viz.:

Amend H. B. 314 by adding the following Section at conclusion of bill:

"The ballots to be used in any primary, general or special election in any county shall be printed by a printing establishment located within the county, if any be so located and capable of furnishing same, if not, by one located within the Commonwealth and each County Court Clerk shall comply with this section by having said printing done by a printing establishment of his county if one be located therein."

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Reuben J. Boling	V. O. Chandler
H. T. Baker	Douglas Bolling	Floyd Clark
W. T. Baker	Ollie J. Bowen	Roscoe Claxon
G. M. Ballard	Wallace Brown	George S. Clay
B. F. Bedford	Dr. R. A. Byers	J. A. Coleman

Roy Conway	Ben W. Johnson	Joe E. Robinson
Herbert Cook	J. H. Jones	W. T. Rollo
Harry Davis	O. C. Jones	A. W. Ross
Sam Dever	R. T. Kirkman	Carl Scheben
Stanley S. Dickson	J. F. Ladd	Carl Schneider
George W. Dunlap	Leslie Larrimore	Ray O. Shehan
Howard G. Early	Robert E. Lee	Dr. B. F. Shields
Garland Embry	T. B. McConnell	P. L. Sidebottom
Walter R. Fannin	J. L. McDermott	Chester D. Silvers
T. P. Fitzpatrick	Lloyd MacDonald	Bruce Sloan
G. W. Garrett	W. F. McGary	H. C. Steely
James Garnett, Jr.	Duke Mayfield	Henry Stewart
Ferd A. Gnau	John B. Mollett	Dr. H. S. Swope
Eugene Gough	W. E. Mull	W. R. Tapp
Ben Grogan	Tyler Munford	J. J. Thomas
Jas. T. Hamilton	Rodes K. Myers	R. Van Bever, Jr.
W. L. Hampton, Jr.	J. C. Nickell	S. J. Wagner
Thomas W. Hines	Russell O'Neill	Joseph L. Wall
Price Holbrook	A. W. Pfeiffer	Henry Ward
Clyde S. Howard	J. C. Ramey	L. R. Wells
Ira W. Hulette	Hobart Rayburn	W. G. Williams
John M. Hunnicut	L. K. Rice	Charles Wylie

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Those who voted in the negative were—

Chas. P. Farnsley	W. H. Miller	—2

Resolved that the title thereof be as aforesaid.

Mr. Clay moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 18. Resolution authorizing the personal representative of Winferd Hoover to sue the Commonwealth.

Said resolution is as follows, viz.:

Whereas, on June 14, 1930, Winferd Hoover was killed by Hoyt Lamb on Elkhorn Creek, about half a mile below the Forks of Elkhorn in Franklin County, Kentucky, while the said Lamb was acting as Deputy Game Warden, and

Whereas, it is claimed by the estate of Winferd Hoover that the death of Winferd Hoover resulted from an injury inflicted by the negligence and wrongful act upon the part of Hoyt Lamb, who was acting as Deputy Game Warden and an agent of the Commonwealth, and

Whereas, if such injuries sustained by Winferd Hoover and resulting in his death were sustained through the negligence or wrongful act of the Commonwealth of Kentucky, or its Deputy Game Warden, or agent, Hoyt Lamb, a reasonable damage should be paid to the estate of Winferd Hoover by the Commonwealth of Kentucky:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the personal representative of Winferd Hoover be and he is hereby authorized and permitted to sue the Commonwealth of Kentucky in the Franklin Circuit Court for such damages as may have been suffered and sustained by said estate, if any, by reason of the injuries and death caused by the negligence or wrongful act of the Commonwealth of Kentucky, or its Deputy Game Warden, or agents, servants and employees, and in the event any judgment is recovered by the said personal representative in said suit, same shall be paid by the Treasurer of the Commonwealth of Kentucky on a warrant issued by the Auditor, and both the said personal representative of the estate of Winferd Hoover and the Commonwealth of Kentucky shall have the right to appeal said case.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	G. W. Garrett	W. E. Mull
C. W. Anderson, Jr.	James Garnett, Jr.	Tyler Munford
W. T. Baker	Ferd A. Gnau	Rodes K. Myers
G. M. Ballard	Eugene Gough	J. C. Nickell
B. F. Bedford	Jas. T. Hamilton	Russell O'Neill
Reuben J. Boling	W. L. Hampton, Jr.	Mel Petry
Douglas Bolling	Thomas W. Hines	A. W. Pfeiffer
Ollie J. Bowen	Clyde S. Howard	J. C. Ramey
Wallace Brown	Ira W. Hulette	Hobart Rayburn
Dr. R. A. Byers	John M. Hunnicut	L. K. Rice
V. O. Chandler	Ben W. Johnson	Wade H. Riley
Floyd Clark	J. H. Jones	Joe E. Robinson
Roscoe Claxon	O. C. Jones	W. T. Rollo
George S. Clay	R. T. Kirkman	A. W. Ross
J. A. Coleman	J. F. Ladd	Carl Scheben
Roy Conway	Leslie Larrimore	Carl Schneider
Herbert Cook	Robert E. Lee	Ray O. Shehan
Harry Davis	M. T. McCarthy	Dr. B. F. Shields
Sam Dever	J. L. McDermott	P. L. Sidebottom
Stanley S. Dickson	Lloyd MacDonald	Chester D. Silvers
George W. Dunlap	W. F. McGary	Bruce Sloan
Howard G. Early	Elmer McGlothen	H. C. Steely
Garland Embry	C. S. Matherly	Henry Stewart
Clarence E. Evans	Duke Mayfield	Dr. H. S. Swope
Walter R. Fannin	W. H. Miller	W. R. Tapp
T. P. Fitzpatrick	John B. Mollett	J. J. Thomas

R. Van Bever, Jr.	Henry Ward	W. G. Williams
S. J. Wagner	L. R. Wells	Charles Wylie

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Those who voted in the negative were—

Ben Grogan	Joseph L. Wall	—2

Resolved that the title thereof be as aforesaid.

Mr. Hulette moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideation from the Orders of the Day, a resolution entitled:

H. Res. 12. Resolution authorizing Bud Philpott to sue the State Highway Commission and the Commonwealth of Kentucky, or either.

Said Resolution is as follows, viz.:

Whereas, while some grading operations were being carried through in the town of Tompkinsville, Kentucky, the contractor deviated from the plans and specifications and the blue prints of the surveys, thereby damaging the real estate of Bud Philpott, and making it impossible for him to enter his barn from the new road by cutting an embankment to a depth of at least eight feet, causing great inconvenience, property damage and handicap:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That said Bud Philpott be and he is hereby authorized to sue the State Highway Commission and the Commonwealth

of Kentucky, or either, for damages to his property, damages to his barn, inconveniences caused and handicap brought about through the carelessness, negligence and failure to carry out original plans and surveys by agents or employees of the State Highway Commission. Said judgment to be a fair and reasonable consideration for damages set out in suit, and in the event judgment is obtained by said Bud Philpott, or same compromised or settled, same shall be paid by the Auditor of Public Accounts, by warrant, drawn on the State Treasurer, and paid out of the General Funds.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Roy Conway	Jas. T. Hamilton
C. W. Anderson, Jr.	Herbert Cook	W. L. Hampton, Jr.
W. T. Baker	Harry Davis	Thomas W. Hines
G. M. Ballard	Sam Dever	Clyde S. Howard
B. F. Bedford	Stanley S. Dickson	Ira W. Hulette
Reuben J. Boling	George W. Dunlap	John M. Hunnicut
Douglas Bolling	Howard G. Early	Ben W. Johnson
Ollie J. Bowen	Garland Embry	J. H. Jones
Wallace Brown	Clarence E. Evans	O. C. Jones
Dr. R. A. Byers	Walter R. Fannin	R. T. Kirkman
V. O. Chandler	T. P. Fitzpatrick	J. F. Ladd
Floyd Clark	G. W. Garrett	Leslie Larrimore
Roscoe Claxon	James Garnett, Jr.	Robert E. Lee
George S. Clay	Ferd A. Gnau	M. T. McCarthy
J. A. Coleman	Eugene Gough	J. L. McDermott

Lloyd MacDonald	A. W. Pfeiffer	Chester D. Silvers
W. F. McGary	J. C. Ramey	Bruce Sloan
Elmer McGlothen	Hobart Rayburn	H. C. Steely
C. S. Matherly	L. K. Rice	Henry Stewart
Duke Mayfield	Wade H. Riley	Dr. H. S. Swope
W. H. Miller	Joe E. Robinson	W. R. Tapp
John B. Mollett	W. T. Rollo	J. J. Thomas
W. E. Mull	A. W. Ross	R. Van Bever, Jr.
Tyler Munford	Carl Scheben	S. J. Wagner
Rodes K. Myers	Carl Schneider	Henry Ward
J. C. Nickell	Ray O. Shehan	L. R. Wells
Russell O'Neill	Dr. B. F. Shields	W. G. Williams
Mel Petry	P. L. Sidebottom	Charles Wylie

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Those who voted in the negative were—

Ben Grogan	Joseph L. Wall	—2

Resolved that the title thereof be as aforesaid.

Mr. Carter moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 24. Resolution, authorizing D. W. Young to sue the Commonwealth of Kentucky and the State Highway Commission.

Said resolution is as follows, viz.:

Whereas, the State Highway Commission constructed that part of State Highway No. 71 within the corporate limits of the city of Beaver Dam in the year 1934,

Whereas, the said Highway Commission, its agents, or employees, did raise the levee 18 inches above the old levee,

Whereas, insufficient openings were made in said levee to carry the water accumulating above the said levee, causing it to dam up,

Whereas, this dammed up water accumulated on the grounds of the building of said D. G. Young, thereby causing the said D. G. Young to suffer damage and inconvenience: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the said D. G. Young is hereby granted the privilege to sue the Commonwealth of Kentucky and the State Highway Commission for such damages as he may have sustained. This action may be taken in the Ohio Circuit Court, and in case any judgment is recovered by said D. G. Young in said suit, same shall be paid by the Treasurer of the Commonwealth of Kentucky on a warrant from the Auditor.

Either party to said suit may appeal from any judgment rendered therein and the case may be settled and adjusted with the consent and approval of the Attorney General of the State of Kentucky in the same way as any other civil cases.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. T. Baker	B. F. Bedford
C. W. Anderson, Jr.	G. M. Ballard	Reuben J. Boling

Douglas Bolling	Thomas W. Hines	A. W. Pfeiffer
Ollie J. Bowen	Clyde S. Howard	J. C. Ramey
Wallace Brown	Ira W. Hulette	Hobart Rayburn
Dr. R. A. Byers	John M. Hunnicut	L. K. Rice
V. O. Chandler	Ben W. Johnson	Wade H. Riley
Floyd Clark	J. H. Jones	Joe E. Robinson
Roscoe Claxon	O. C. Jones	W. T. Rollo
George S. Clay	R. T. Kirkman	A. W. Ross
J. A. Coleman	J. F. Ladd	Carl Scheben
Roy Conway	Leslie Larrimore	Carl Schneider
Herbert Cook	Robert E. Lee	Ray O. Shehan
Harry Davis	M. T. McCarthy	Dr. B. F. Shields
Sam Dever	J. L. McDermott	P. L. Sidebottom
Stanley S. Dickson	Lloyd MacDonald	Chester D. Silvers
George W. Dunlap	W. F. McGary	Bruce Sloan
Howard G. Early	Elmer McGlothen	H. C. Steely
Garland Embry	C. S. Matherly	Henry Stewart
Clarence E. Evans	Duke Mayfield	Dr. H. S. Swope
Walter R. Fannin	W. H. Miller	W. R. Tapp
T. P. Fitzpatrick	John B. Mollett	J. J. Thomas
G. W. Garrett	W. E. Mull	R. Van Bever, Jr.
James Garnett, Jr.	Tyler Munford	S. J. Wagner
Ferd A. Gnau	Rodes K. Myers	Henry Ward
Eugene Gough	J. C. Nickell	L. R. Wells
Jas. T. Hamilton	Russell O'Neill	W. G. Williams
W. L. Hampton, Jr.	Mel Petry	Charles Wylie

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Those who voted in the negative were—

Ben Grogan	Joseph L. Wall	—2

Resolved that the title thereof be as aforesaid.

Mr. Byers moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 183. An act providing that all State building shall be let to the lowest and best bidder, after due advertising for sealed bids, which shall be opened and read in public by person, persons or agency charged with execution of any such building; reserving right to reject any and all bids, where deemed unsatisfactory; prescribing manner of advertising for bids; providing that any person, persons or agency in charge of such building may contract privately or otherwise arrange for any such building on more beneficial terms to State than the lowest and best bid received, or may advertise for other bids, in their discretion; defining State building; and repealing all laws or parts of laws in conflict herewith to extent of any such conflict.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any and all public building by the State of Kentucky shall be done by contract let to person or persons having the lowest and best bid, which shall be made by sealed proposal in writing and shall be opened and read in public presence, after due advertising for bids by the person, persons, or agency charged with any such State building. Those in charge of any such State building shall have the right to reject any and all bids deemed unsatisfactory to them, and thereafter may contract privately for said building, or may arrange for same to be done by force account by the State or make other arrangement for such building; provided, however, no private contract shall be so made unless it shall appear that such private contract for State building is made on terms more beneficial to the State than the lowest and

best bid received for same work at any such public letting, or those in charge may readvertise for other bids in same manner as at original letting.

§ 2. The advertising for bids shall fix the time and place for receiving bids, and in a brief general way shall describe the building to be done and shall state where complete and well-engineered plans for such building can be examined and who has said building in charge. Said advertising shall be published in some newspaper of general circulation in this State and also in a paper of general circulation in the county where any such building is to be done, and all such advertising shall be published not more than twenty nor less than ten days prior to any such public letting.

§ 3. The term "State Building" as used herein shall include any and all public buildings or housing structures erected with State funds and to be used for State purposes.

§ 4. All laws or parts of laws in conflict herewith are hereby repealed to the extent of any such conflict.

Mr. Brown offered the following amendment to said bill, viz.:

Amend H. B. 183 by striking from the line 12 on page 2 of the printed bill the following language: "on terms more beneficial to the State" and inserting in lieu thereof the following language: "for a less total cost or price on the same identical terms, condition, provisions, plans and specifications, upon which public bids were made."

Said amendment was adopted.

Mr. Myers offered the following amendment to said bill, viz.:

Amend H. B. 183 page 2, line 8, after the word "same" by adding the words "or part thereof" and after the word "account" in line 9, the words "or by convict labor".

Said amendment was agreed to.

Mr. Schneider moved that said bill be made a Special Order of the Day for Tuesday, February 4, at three o'clock P. M.

Said motion was disagreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	G. W. Garrett	W. F. McGary
W. T. Baker	Eugene Gough	Elmer McGlothen
G. M. Ballard	Ben Grogan	Duke Mayfield
Douglas Bolling	Jas. T. Hamilton	Rodes K. Myers
Ollie J. Bowen	W. L. Hampton, Jr.	J. C. Nickell
Wallace Brown	Thomas W. Hines	Russell O'Neill
Dr. R. A. Byers	Clyde S. Howard	Mel Petry
V. O. Chandler	Ira W. Hulette	J. C. Ramey
Roscoe Claxon	Ben W. Johnson	L. K. Rice
George S. Clay	J. H. Jones	Wade H. Riley
Roy Conway	O. C. Jones	Joe E. Robinson
Sam Dever	R. T. Kirkman	Carl Scheben
Stanley S. Dickson	J. F. Ladd	Ray O. Shehan
George W. Dunlap	Robert E. Lee	Dr. B. F. Shields
Howard G. Early	M. T. McCarthy	P. L. Sidebottom
Garland Embry	T. B. McConnell	Dr. H. S. Swope
Clarence E. Evans	J. L. McDermott	W. R. Tapp

J. J. Thomas	Henry Ward	W. G. Williams
Joseph L. Wall	L. R. Wells	Charles Wylie

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Those who voted in the negative were—

C. W. Anderson, Jr.	James Garnett, Jr.	Hobart Rayburn
Reuben J. Boling	Ferd A. Gnau	W. T. Rollo
J. A. Coleman	John M. Hunnicut	Carl Schneider
Harry Davis	Leslie Larrimore	Chester D. Silvers
Walter R. Fannin	Lloyd MacDonald	Henry Stewart
Chas. P. Farnsley	W. H. Miller	R. Van Bever, Jr.
T. P. Fitzpatrick	W. E. Mull	S. J. Wagner

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Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred, as follows, viz.:

By Mr. Gnau:

H. B. 533. An Act creating in every county of this Commonwealth a county liquor control board having exclusive jurisdiction in the issuing of permits and the revocation of same to hotels and restaurants selling vinous, spirituous and intoxicating malt liquors at retail by the drink; providing for one license to hotels and restaurants selling spirituous, vinous and intoxicating malt liquors at retail by the drink; providing for the retail sale by hotels and restaurants of spirituous and vinous liquors by package; to make rules and regulations for the retail sale by hotels and restaurants of vinous, spirituous and intoxicating malt liquors; prescribing the licenses there-

for and fees; and fixing the penalties for the violation of this Act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby created in every county in this Commonwealth in which vinous, spirituous or intoxicating malt liquors may be legally sold a liquor control board which shall be designated as the "Liquor Control Board of..... .....County". The said liquor control board shall be composed of the County Judge, the Sheriff, and the Commonwealth's Attorney of said county, except in counties containing cities of the first class, which Liquor Control Board shall be composed of the County Judge, the Judge of the Circuit Court who presides over the criminal division of said Court, and the Police Judge of the largest municipality located in said county. The Liquor Control Board of each county shall maintain an office in the county seat thereof and shall have the power and authority to employ such clerical help, investigators, and other help as may be necessary to carry out the provisions of this Act. The expenses of said office shall be paid as hereinafter set out and the said Board shall have the power and authority to fix the salaries of its employees who shall be paid as set forth in Section ..... hereof.

§ 2. The Liquor Control Board of each county shall have exclusive jurisdiction in the granting of licenses, the revocation of same and in regulating the retail sale of vinous, spirituous and intoxicatnig malt liquors by any person, partnership or corporation engaged in the hotel or restaurant business and who desires to sell and dispense by the drink vinous, spirituous and intoxicating malt liquors.

§ 3. (1) The word "person" as used in this Act shall include any and all corporations, partnerships, associations or individuals.

(2) The word "hotel" shall mean any establishment for the accommodation of the public which has been in existence and operation for not less than one year at the time as of which its standing under this Act is called in question, which is equipped with not less than twenty bedrooms containing not less than one bed in each such room with sufficient covering therefor, and which is equipped with a public dining room and with facilities and equipment for preparing and serving bona fide meals.

(3) The word "restaurant" shall mean an establishment which has been in existence and operation for not less than one year at the time as of which its standing under this Act is called in question, equipped with a public dining room and with facilities and equipment for preparing and serving bona fide meals to the public. "Restaurant" shall include dining cars of any railroad company, provided said company has procured the restaurant license for such dining cars as required under the povisions of law relating to restaurants in counties containing cities of the first class.

(4) All other words used in this act shall be defined according to the statutes in such case made and provided, if any, and otherwise shall be defined according to the custom and usage of the people of Kentucky.

§ 4. No person, firm, or corporation who is engaged in the hotel or restaurant business shall be issued a license for the retail sale only of intoxicating malt liquors.

§ 5. The Liquor Control Board of each county shall have the following powers, functions, and duties: (a) To grant and revoke for cause permits issued under the provisions of this Act; (b) To fix in its discretion the number of hotels and restaurants who shall sell and dispense by retail vinous, spirituous, or intoxicating malt liquors; (c) To adopt rules and regulations for the supervision and control of the retail sale by drink of vinous, spirituous, or intoxicating malt liquors; (d) To carry on by its agents or employees inspec-

tions of any premises where beer, wine, or spirituous liquor is sold at retail by the drink; (e) To prescribe forms of application for permits under this Act and of all periodic reports deemed necessary to be made by any permittee; (f) To examine or cause to be examined under oath any permittee and to examine or cause to be examined his books and records; to hear testimony and take proof material for its information; to administer oaths; and for any such purpose to issue a subpoena or subpoenas to require the attendance of witnesses and the production of books, which shall be effective in any part of the county; (g) To fix the hours during which vionus, spirituous or intoxicating malt liquors may be sold or dispensed at retail as provided by this Act; (h) To keep records in proper form of all permits issued and all permits revoked under the provisions of this Act, and to keep such records in such form so as to provide ready information as to the identity of all permits including the names of stockholders and directors of corporations holding permits, and also the location of all permitted premises.

§ 6. Any person operating a hotel or restaurant as defined in this Act may apply for a permit to dispense and sell by the drink spirituous, vinous and intoxicating malt liquors. Such application shall be in writing and shall set forth such information in detail concerning the applicant for said permit and the premises to be used by the applicant as the County Liquor Control Board may require, and said application shall be accompanied by certified check or cash or postal money order for the amount required by this Act for such permit. If the County Liquor Control Board shall deny the application it shall return the fee to the applicant and if the County Liquor Control Board grant the application it shall issue a permit in such form as shall be determined by the rules of the County Liquor Control Board. Such permit shall contain a description of the premises permitted and in form and in substance shall be a permit to the person therein

specifically designated to sell and dispense under the provisions of this Act.

The County Liquor Control Board shall not grant a permit to a hotel or restaurant which has not actually and continuously engaged in such business for the period of twelve months immediately preceding the date of the application and unless the license required under the provisions of law for the operation of such hotel or restaurant has been heretofore paid in advance for the period between the date of said application and the first day of July thereafter and such application shall be accompanied by such license receipt which shall be returned in the event the permit is not granted.

(2) In addition to such other information as the County Liquor Control Board may desire, there shall be furnished in an application for a permit under this Act the following information given under oath: (a) The name, age and residence of each applicant, and if there be more than one and they be partners, the partnership name and age and residence of the several persons so applying and the facts as to his or their citizenship; (b) The name and residence of each person interested or to become interested in the business of any permittee for which the application is made, together with the nature of such interest and if such applicant be a corporation, the application shall set forth the name of the corporation, the names of its directors or other governing body, and the names of its officers, and the state under the laws of which it is organized; (c) The premises to be permitted, stating the street and number, if the premises have a street and number, and otherwise such apt description as will reasonably indicate the locality thereof; (d) The applicant shall also state the nature of his interest in the premises and the name of any other person, either as principal or associated, interested with the applicant either in the premises or in the business to be permitted; (e) A statement that such applicant has not

been convicted of any felony and has not had a permit issued to him under this Act revoked for cause.

§ 7. A permit issued to any person pursuant to this Act for any premises shall not be transferable to any other person or to any other premises or to any other part of the building containing the permitted premises. It shall be available only to the person therein specified and only for the premises permitted and no other.

§ 8. No permit shall be transferable or assignable.

(a) No permit shall be pledged or deposited as collateral security for any loan or upon any other condition, and any such pledge or deposit and any contract providing therefor shall be void.

(b) Permits shall be valid for a period of one year from date of issue, except as provided in this Act and shall contain, in addition to any other information or material to be prescribed by the rules and regulations of the County Liquor Control Board the following:

1. The name of the person to whom the permit is issued.

2. A description by street and number or otherwise of the permitted premises.

3. A statement in substance that such permit shall not be deemed a property or vested right and that it may be revoked at any time pursuant to law.

4. The name and address of the owner of the premises. Upon a change in such ownership the permittee or the new owner may file notice to that effect in writing with the Liquor Control Board on forms to be provided by the Board for such purpose.

(c) There shall be printed and furnished by the County Liquor Control Board to each permittee a statement of the causes for which permits may be revoked under law. Such statement shall be prepared by the County Liquor Control Board and delivered to the permittee with his permit or as

soon as may be practicable thereafter. Any amendments thereto shall also be sent by the County Liquor Control Board to all permittees as soon as may be practicable after such amendment. Failure to send such statement of changes therein or failure to receive the same or any misstatement or error contained in such statement or amendments shall, however, not be an excuse or justification for any violation of law, or prevent or remit or decrease any penalty or forfeiture therefor.

(d) It shall be the duty of every person procuring a permit under this Act or a renewal thereof to publish a notice in a form to be prescribed by the County Liquor Control Board to the effect that such permit has been issued and stating the name of the permittee and the location of the premises permitted once a week for two successive weeks in a daily or weekly newspaper printed or published in the county in which such premises are located.

(e) Each permit shall be issued for a permit year expiring on the 30th day of June following the date of its issuance, and the proportionate part of the permit fee prescribed therefor by the provisions of this Act shall be paid in advance at the time the application therefor shall be made as provided by this Act.

(f) Each permit issued pursuant to this Act may be renewed upon application therefor by the permittee and payment of the annual fee for such permit. In case of application for renewal the County Liquor Control Board may dispense with the requirement of such statements as it deems unnecessary in view of those contained in the application made in the original permit.

(g) The County Liquor Control Board shall make rules regarding applications for renewal of permits and the time when such application shall be made.

(h) When application for any permit is made after the first of July in any year the permit fees therefor for the bal-

ance of the permit year shall be in proportion as the remainder of such year bears to the whole year, except that it shall in no case be for less than one-half of such year.

§ 9. Any person, firm, or corporation engaged in the hotel or restaurant business, who has been granted a license by the provisions of this Act, shall be legally entitled to sell and dispense at retail by the drink vinous, spirituous and intoxicating malt liquors. It is further provided that the holder of any license under the provisions of this Act shall be further entitled to sell vinous, spirituous or intoxicating malt liquors by the package, provided same are not consumed on the premises of the licensee.

§ 10. No person hereinafter described in this Act shall receive a permit:

(a) A person who has been convicted of a felony.

(b) A person under the age of twenty-one (21).

(c) A person who is not a citizen of the United States.

(d) A co-partnership, unless one or more of the members of such co-partnership owning at least one-half interest in the business thereof shall be a citizen of the United States.

(e) A person who shall have had his permit issued under this Act revoked for cause or who has been convicted of a violation of this Act until the expiration of two years from the date of such revocation or conviction.

(f) A corporation or co-partnership, if any officer or member thereof has been convicted of a violation of this Act or has had a permit issued under this Act revoked for cause until two years from the date of such conviction or revocation.

§ 11. Where a permit for any premises permitted has been revoked, no permit shall thereafter be issued for a period of two years after such revocation for such permitted premises or for any part of the building containing such permitted premises.

§ 12. Any permit issued pursuant to the provisions of this Act may be revoked for cause and must be revoked for the following causes:

(a) Conviction of the permittee or his agent or employee for selling any illegal beverages on the premises permitted.

(b) For making any false material statement in an application for a permit.

(c) If, within a period of two years, there shall have been two convictions for any violation of this Act, by a permittee; or two convictions of any of his clerks, agent, employees or servants of any violation of this Act on the premises permitted.

(d) For transferring, assigning or hypothecating a permit.

(e) For failure or default of a permittee to pay any license or permit tax or any part thereof.

§ 13. The action by the County Liquor Control Board in the refusal to grant a permit or in the revocation of a permit may be reviewed by appeal to the Circuit Court of the county in which the Liquor Control Board acts. Said appeal shall be filed within ten (10) days after the order of the County Liquor Control Board and may be prosecuted by any person interested therein. An appeal shall be taken by filing with the Clerk of the Circuit Court of said county a complete transcript of all of the evidence heard and orders entered by the Liquor Control Board. No new evidence shall be heard by the Court and the judgment of the Circuit Court may be appealed to the Court of Appeals of Kentucky as in other cases but the judgment of the Court shall not be superseded. Upon the filing of an appeal, the County Liquor Control Board shall be given ten (10) days notice of the hearing to be executed in the manner now provided for the service of processes. In counties containing cities of the first class, said appeal shall be taken to the Chancery Division of said Circuit Court.

§ 14. Within three (3) days after a permit shall have been revoked notice therof shall be given to the permittee by mailing such notice addressed to him at the premises permitted. Notice shall also be mailed to the owner of the premises permitted. The holder of such permit shall thereupon surrender same to the County Liquor Control Board. The mailing thereof by the permittee to the County Liquor Control Board by registered mail or insured parcel post shall be deemed sufficient compliance with this provision. The County Liquor Control Board immediately upon giving notice of revocation shall serve a written notice thereof upon the chief of police or chief police officer of the city or town in which the premises for which the revoked permit was issued is situated, or upon the sheriff of the county in case the permit is issued for premises situated outside a city or town. This notice shall include a statement of the number of such permit, the name and place of residence of the holder thereof and the location of the permitted premises and the date when such permit was revoked.

§ 15. The Liquor Control Board of each county may adopt rules and regulations covering the hours in which vinous, spirituous, and intoxicating malt liquors may be sold.

§ 16. Nothing in this Act shall be construed to prevent municipal corporations through their legislative bodies from taxing the manufacture and sale of vinous, spirituous, or intoxicating malt liquors by the permittees so authorized by the County Liquor Control Board.

§ 17. (a) It shall be unlawful for any person engaged in the manufacture of vinous, spirituous, or intoxicating malt liquors to be interested directly or indirectly in any premises where vinous, spirituous or intoxicating malt liquors are sold under the provisions of this Act.

(b) To make any loan to any owner.

(c) To enter into a contract with an owner where the

owner agrees to confine his sales to the produets manufactured by one manufacturer. Such contracts shall be void.

§ 18. Before commencing or doing any business for the time for which a permit has been issued under the provisions of this Act, said permit shall be enclosed in a suitable wood or metal frame, having a clear glass space and a substantial wood or metal back so that the whole of said permit may be seen therein and shall be posted upon and at all times displayed in a conspicuous place in the room where such business is carried on so that all persons visiting such place may readily see the same. It shall be unlawful for any person holding a permit to post such permit or to permit such permit to be posted upon premises other than the premises permitted. Whenever a permit shall be lost or destroyed without fault on the part of the permittee or his agents or employees, a duplicate permit in lieu thereof may be issued by the County Liquor Control Board in its discretion and in accordance with the rules and regulations on the payment of a fee of Ten ($10.00) Dollars.

§ 19. Every person, firm or corporation engaged in the hotel or restaurant business for the privilege of selling spirituous or vinous liquors by the drink or intoxicating malt liquor there is assessed and shall be paid an annual permit fee of and by the person engaged therein for each hotel or restaurant. The amount of such permit fee according to the location of the hotel or restaurant shall be as follows:

In counties containing cities of the first class—$100.00 (One Hundred Dollars);

In all other counties—$50.00 (Fifty Dollars). In addition to the privilege fee or license as hereinabove enumerated, each applicant shall pay at the time he seks a permit, to the County Liquor Control Board, the sum of Ten ($10.00) Dollars and said amounts shall be used by the County Liquor Control Board to defray all of its expenses, including salaries of its employees.

§ 20. Any person who shall sell, give away, or dispose of intoxicating liquors to a minor or habitual drunkard or an intoxicated person shall be guilty of a misdemeanor and for the first offense be punishable by a fine of not less than One Hundred ($100.00) Dollars nor more than Two Hundred Fifty ($250.00) Dollars, and for the second and subsequent offenses shall be guilty of a misdemeanor and be punishable by a fine of not less than Two Hundred Fifty ($250.00) Dollars nor more than Five Hundred ($500.00) Dollars or by imprisonment in the county jail for not less than six (6) months or more than One (1) year, or both so fined and imprisoned, in the discretion of the jury. Any person who shall by himself or his employee or servant or agent for himself violate any of the provisions of this Act shall be guilty of a misdemeanor and for the first offense be punishable by a fine of not less than One Hundred ($100.00) Dollars nor more than Two Hundred Fifty ($250.00) Dollars, and for the second and subsequent offenses he shall be guilty of a misdemeanor and be punishable by a fine of not less than Two Hundred Fifty ($250.00) Dollars nor more than Five Hundred ($500.00) Dollars or imprisonment in the county jail for not less than six (6) months nor more than One (1) year, or both so fined and imprisoned in the discretion of the jury.

§ 21. All laws and parts of laws in conflict herewith are hereby repealed.

By Mr. Records:

H. B. 534. An Act entitled an act to provide for Greyhound Racing Commission; to prescribe its powers and duties; to fix compensation; to provide for holding elections; to provide for licensing and taxing such racing and apportioning the moneys derived therefrom; to provide for the selling of combination or French pools within the enclosure of licensed race tracks; to provide penalties for the violation of this act and repealing any laws in conflict therewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any corporation formed for the purpose of racing or breeding of Greyhounds and conducting races and contests of speed shall have the power and right, subject to the provisions of this act, to hold one or more race meetings in each year and to hold, maintain and conduct races at such meetings. At such meetings the corporation or the owners of greyhounds engaged in such races or others who are not participants in the racing may contribute purses, prizes, premiums or stakes to be contested for; but no person or persons other than the owner or owners of greyhounds contesting in a race shall have any pecuniary interest in a purse, prize, premium or stake contested for in such race, or be entitled to, or receive any portion thereof, after such race shall have been finished; and the whole of such purse, prize or premium or stake shall be allotted in accordance with the terms and conditions of such race. Such meetings shall not be held except during the period extending from the first day of April to the first day of December, inclusive, in each year. Said races shall be held between the hours of 7 P. M., and 12 Midnight. No races are authorized or shall be permitted except during the period aforesaid.

§ 2. A Greyhound Racing Commission is hereby established to consist of three persons to be appointed by the Governor. The members of said commission shall hold their offices for a term of four years and the first commission shall be appointed within twenty days after this act shall go into effect. Such commission shall appoint a secretary, who shall serve during its pleasure, whose duty it shall be to keep a full and faithful record of its proceedings and preserve at its general office, all books, maps, documents and papers entrusted to its care and shall perform such other duties as the commission may prescribe. He shall be paid a salary to be fixed by

the commission at a rate not exceeding $1,200.00 per annum, which shall be paid by the several racing corporations or associations. The commission shall bi-annually make a full report to the General Assembly of its proceedings for the two-year period, ending with the first day of December preceding the meeting of the General Assembly and shall embody therein such suggestions and recommendations as it shall deem proper.

POWERS OF COMMISSION

§ 3. Said commission shall have the power to prescribe the rules, regulations and conditions under which races shall be conducted in this state and no such race shall be conducted in this state and no such races shall be conducted except by a corporation or association duly licensed by said commission as herein provided. Any corporation or association desiring to conduct such racing may annually apply to the Greyhound Racing Commission for a license so to do. If, in the judgment of the commission, a proper case for the issuance for such license is shown, it may grant the same for a term of one year, and if such license shall contain a condition that all races or race meetings conducted thereunder shall be subject to the rules, regulations and conditions from time to time prescribed by the commission and shall be revokable by the commission for any violation thereof, or whenever the contents of such license shall be deemed by the commission not conducive to the interest of legitimate racing. But if said license is refused or revoked, said commission shall publicly state its reason for so doing and said reason shall be written in full in the minute book of said commission, which shall at all times be subject to inspection upon application of anyone desiring so to do. Said finding of said commission shall be subject to the review of a court of competent jurisdiction; provided that a refusal of the commission to grant to any racing association a license, or to assign any racing association, at least sixty days in each year, if desired, for racing at such associ-

ation, and the decision of such commission revoking any license of any association shall be subject to review of the courts of the state.

§ 4. If race meetings, at which racing shall be permitted for any stake, purse or reward as allowed by this act, is hereby declared to be a public nuisance and every person acting or aiding therein shall be deemed guilty of a misdemeanor and punished by a fine of not less than $500.00 nor more than $1,000.00 for each day of such meeting or racing and in addition thereto, in a suit brought for the purpose by the Greyhound Racing Commission in the Circuit Court of the county where it may be proposed to conduct such unauthorized racing and an injunction may be obtained against the same.

§ 5. At the time of making application for a permit, the applicant shall deposit with the Racing Commission a cash bond, certified check or bank draft payable to the order of the Racing Commission, in an amount equal to $100.00 for each day excluding Sundays, petitioned for in said application. At the close of the last day of the Greyhound racing meeting for which a permit is issued as provided for in Section 6 of this act, the Racing Commission shall refund to such permit holder the sum of $100.00 for each racing day the permit holder paid the Racing Commission that tax due for said day as provided for and at the rate stipulated by this act; provided, however, if such permit holder has not paid to the Racing Commission the expenses and compensation of representatives assigned to his or its track as provided for in this act, the commission is authorized and directed to withhold such refund until the same has been paid. In the event any full day's racing is declared off by the judges on account of inclement weather or muddy track, or said track, or any essential part thereof has been destroyed by fire, wind, riot, or explosion, the Racing Commission shall refund to the permit holders the sum of $100.00 of their deposit for each such day.

§ 6. Upon the filing of an application accompanied by a permit fee or a cash bond, certified check or bank draft as herein provided by any person, association, trust or corporation not in default of payment of any obligation due to the Commonwealth of Kentucky, under the provisions of this act the Racing Commission may issue a permit to such applicant to hold or conduct a Greyhound racing meeting as authorized in this act. Such permit shall specify the person or association, trust or corporation to whom the same is issued, the dates upon which such Greyhound Racing meetings are to be held or conducted, the hours of such dates between such Greyhound racing shall be permitted, the location of the place, track or enclosure where such Greyhound racing meeting is to be held or conducted and shall receipt the payment of the permit fee and deposit a cash bond, certified check or bank draft by applicant. If such permit shall contain a condition that all Greyhound racing meetings conducted thereunder, shall be subject to rules and regulations and continue from time to time prescribed and promulgated by the commission. The commission may refuse to award dates or to issue a permit to any applicant if a permit previously issued to said applicant has been revoked under the authority of this act. Such permit may be suspended, diminished or revoked by the commission of any violation of this act, or of any rule of the commission made under authority of this act, provided five days written notice mailed by registered mail to the permit holder be given of charges, the time and place of hearing at which hearing the permit holder shall be given the opportunity of presenting evidence and being represented by counsel and provided further that the Racing Commission shall immediately enter upon its record of proceedings a memorandum of its action in such suspension, diminution or revocation and its reason therefor. Such permit shall be nontransferable and shall apply only to the place, track, or enclosure specified in the permit.

§ 7. Any person, association, trust or corporation hold-

ing a permit to conduct a Greyhound Racing Meeting, may provide a place or places in the race meeting grounds or enclosure at which they or it may conduct and supervise the combination, French pools, or certificate system of wagering by patrons of legal age on the Greyhound races conducted by such permit holder at such meeting. (Such combination or French pool or certificate method of wagering upon Greyhound races held at or within such race track and at the time of such Greyhound racing meeting shall not be held or construed to be unlawful to the Statutes of the Commonwealth of Kentucky, to the contrary notwithstanding.) And any law in conflict is hereby repealed.

No other place except that provided and designated by the permit holder, or any method of betting or wagering, except the combination or French pools or certificate system shall be used or permitted by the permit holder nor shall the combination or French pools or certificate system of wagering be conducted by the permit holder on any Greyhound races except the races at the race track grounds or enclosure for which the person, association, trust or corporation holds a permit. Each permit holder may retain as commission, not to exceed fifteen per cent of the total of all money wagered each day. The permit holder may also retain the odd cents of all redistributions to be made on all compensation or French pools or certificate system, contributions exceeding a sum equal to the next lowest multiple of 10 cents. At the close of each racing day the permit holder shall pay to the racing commission as a tax three per cent of the total of all money wagered each day.

In addition to the aforesaid taxes, each person, association or corporation authorized to conduct race meetings under this act shall pay to said racing commission fifteen per cent of all moneys received each day from admissions paid by persons attending said races or the sum of ten cents on each and every admission, whichever sum is the greater. Said payment shall be accompanied by a report under oath show-

ing the total of all said contributions and admissions on the races covered by such report and such other information as said commission may require. If any free passes or complimentary admission card shall be issued to guests by any licensee, the licensee of such track shall pay to the commission the same tax upon such complimentary admission cards as if same were sold at the regular and usual admission rate; but nothing herein shall be construed to prevent the issuance of tax free passes to officials and actual employees of the licensee or other persons engaged actually in working at such race track, provided, however, that the issuance of all such tax free passes shall be under the regulations or orders of the commission and a list of all officers and employees shall be filed with the commission.

The tax herein imposed shall be in lieu of all license excise or occupational taxes to the Commonwealth of Kentucky, or any county, town or other political subdivision thereof, except that when any racing meeting is held or conducted in any incorporated city or town, such city and town shall have the right to assess and collect an additional tax against any person, firm or association or corporation conducting Greyhound racing within its corporate limits not to exceed $50.00 per racing day.

§ 8. All moneys collected from the three per cent commission as above referred to and all moneys collected from the sale of admission tickets as above referred to shall be paid by the racing commission to the State Treasurer of this Commonwealth and that said moneys when paid to the State Treasurer shall be allocated to and used for the general common school fund.

§ 9. At least, eighty-five per cent of all persons connected with any race track authorized under this act including gatekeepers, announcers, ushers, shall be qualified electors of the Commonwealth of Kentucky, provided, however,

that this section shall not apply to owners and trainers of racing Greyhounds.

§ 10. Election to be ordered on petition of voters upon application by written petition signed by a number of legal voters in any county to be affected by this act equal to twenty-five per cent of the votes cast therein at the last preceding general election. It shall be the duty of the judge of the county court in such county at the next regular term thereof, after receiving said petitions to make an order on his order book directing an election to be held in such county, to be affected thereby on some day named in said petition, no earlier than sixty days after said application is lodged with the judge of said court, which order shall direct the sheriff or court officer of said county who may be appointed to hold said election, to open a poll at each and all of the voting places in such county, city, town, district or precinct on said date for the purpose of taking the sense of the legal voters of such county who are qualified to vote at elections for county officers upon the proposition whether or not Greyhound racing shall be conducted in said county.

§ 11. It shall be the duty of the County Clerk to give to the sheriff of the county or such officer as may be appointed to hold said election, a certified copy of the order of the county court as it appears on the order book within five days after said order is made; and it shall be the duty of said sheriff or other officer to have said order published in some weekly or daily paper published in the county for at least two weeks before the election and also to advertise the same by printed or written handbills posted at some conspicuous place in each precinct in the county for the same length of time when the election is held for the entire county; the sheriff or other officer shall have the advertisements and notices herein provided for, posted as herein required within seven days after he receives the order of the county court. All elections provided for in this act shall be held by such

officers as would be qualified to hold elections for county officers and they shall be selected in the same way, and all elections provided for herein shall be held in accordance with the provision with the general election laws of the state, except that they shall not be held on the same day with any regular political election nor within thirty days next preceding or following any such regular, political election.

§ 12. If it shall be found that a majority of the legal voters cast at any election herein provided for were given for or against Greyhound racing, it shall be the duty of the canvassing board to certify that fact which certificates shall be delivered to the clerk of the County Court and by him safely kept until the next regular term of the County Court at which term the judge thereof shall have the same spread on the order book and said entry of certificate in the order book or a certified copy thereof shall be prima facie evidence in any and all proceedings under this act.

§ 13. The result of said election when so held under the provisions of this act shall determine the question for a period of five years and no election shall be held again upon the subject for a period of five years.

By Mr. McCarthy:

H. B. 535. An Act amending Section 2117, Carroll's Kentucky Statutes, 1930 Edition, relating to grounds for divorce of husband and wife and making insanity of either husband or wife grounds for divorce.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2117, Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby amended by adding thereto, the following:

"That Courts of this Commonwealth of Kentucky having

general equity jurisdiction, may grant a divorce for the following cause, to both husband and wife."

§ 2. That whenever a husband or wife in the Commonwealth of Kentucky has been adjudged insane and upon the testimony of two or more competent doctors, it shall appear that the said husband or wife shall, in their opinion be permanently and incurably insane, shall be an additional grounds for a divorce to either or both the husband or wife.

§ 3. In addition to the provisions set out in Section 2 hereof, it shall further be deemed permanent insanity when either the husband or wife has been duly adjudged insane and has been confined in an institution for the insane for a period of five years next before the filing of the petition for divorce.

To Committee on Rules.

Mr. Milam of the Special Committee heretofore appointed by the Speaker to draw resolutions in accordance with the motion of Mr. Hunnicut (For motion see House Journal of today, ante), offered the following resolution, viz.:

House Resolution No. 56

Resolution of the House of Representatives, General Assembly, 1936

Whereas, the General Assembly of the Commonwealth of Kentucky, 1936, did pass an Act which was properly signed and approved by the Governor, same being House Bill No. 8, which authorized the Governor or either House to submit to the Court of Appeals any bill or pending legislation for an advisory opinion of the said Court of Appeals, as to the constitutionality of any such pending legislation;

Whereas, House Bill 222 is now pending before the House for consideration and there is doubt in the minds of the members of said House as to whether or not Section 1 of said bill is unconstitutional as being in violation of Sections

170, 171 and 172 of the constitution of Kentucky, and whereas, the House desires that the Justices of the Court of Appeals furnish it with an advisory opinion as to the constitutionality of said section of said bill if same be enacted: Now, Therefore,

Be it Resolved by the House of Representatives of the General Assembly of 1936:

That the Clerk of said House be directed to deliver to the Chief Justice of the Court of Appeals this resolution, together with a printed copy of House Bill No. 222 and that the Justices of the Court of Appeals deliver to this body on or before Tuesday morning, February 4, 1936, a written opinion as to the constitutionality of said bill in conformity with the requirements of the Act of the General Assembly known as House Bill No. 8, which was approved by the Governor on the .....day of January, 1936.

Said resolution was approved and adopted by the House.

Ordered that the Chief Clerk deliver an attested copy of same to the Chief Justice of the Court of Appeals.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 58. An Act to amend and re-enact Sec. 3187 of Carroll's Kentucky Statutes, 1930 Edition, relating to the sale of real estate for taxes, for cities of the second class.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3187 of Carroll's Kentucky Statutes, 1930 Edition, be amended and re-enacted so that said section as amended and re-enacted shall read as follows:

SECTION 3187. SALE OF REAL ESTATE FOR TAXES; PROCEDURE.—On the second Monday in December of each year, or as soon thereafter as practicable, the treasurer shall sell a sufficient amount of the real estate, whether the same be encumbered or not, of each delinquent taxpayer to satisfy and discharge all unpaid taxes of such delinquent with interest and penalties thereon and the further sum of two dollars ($2.00) for the cost of advertisement and sale. Said sale shall be made to the highest and best bidder for cash at public auction, at or about noon, at the main entrance of the city building. One or more parcels of real estate may be sold for all of the taxes of the delinquent whether the same be for taxes on the the real estate sold or for the taxes on other real estate, real or personal. When a parcel of real estate is offered for sale, the treasurer will inquire of anyone will buy an interest therein, less than the whole thereof, and pay the taxes, interest, penalty and costs thereon, and he will sell only so much thereof or such an interest therein as will produce the amount to be realized. If no one will take less than the whole of the property and pay the taxes, interest, penalties and cost thereon, he will sell the whole of the property. If no one will bid said amount, it shall be the duty of the treasurer to purchase the property for the amount of said taxes, interest, penalties and costs. If one or more persons, own a life estate or other particular estate in the property sold with remainder over to others, the treasurer will first offer the particular estate for sale, and if no one will bid enough therefor to pay the taxes, interest, penalties and cost, he will then sell the whole property. Except as otherwise provided herein, said sale shall be made in the same manner that real estate is sold by sheriffs under execution, except that no levy or appraisal shall be necessary. Should any person purchase property at such sale, and then fail to pay for same, the treasurer shall immediately resell the property. Real estate sold for delinquent taxes may be resold,

in like manner, for taxes for succeeding years. If, for any reason, real estate is not sold at the time fixed in this section, it may be advertised and sold at any time thereafter in the manner herein provided. Before making said sale, the treasurer will cause three notices thereof to be published in the official newspaper of the city during the two weeks period just preceding the day of sale, showing the time, place and terms of the sale, the names of delinquent taxpayers, numbers of the tax bills, the total amount of taxes, interest, penalties and costs due on each bill, and a brief description, by lot and block numbers as shown on the city maps or by such other descriptions, sufficiently accurate to identify each parcel of property to be sold. Within thirty days after the sale the treasurer shall cause to be delivered to each delinquent whose real estate has been sold, or if the delinquent be an infant or a person of unsound mind or a non-resident, then to his guardian, committee or agent, a written notice of the sale, the time within which the property can be redeemed and the amount required to redeem it. If notice is not served within thirty days, it may be served as soon thereafter as practicable; provided, that if the notice is not given six months before the expiration of the period of redemption it shall be extended until six months after the service of such notice, but failure to give notice shall not defer the purchaser's right to possession as provided in Section 3187c. Such notice may be executed by any police officer of the city or any other officer or person authorized by law to serve a notice. Any purchaser of property sold for taxes may cause such notice to be given with the same effect as if given by the treasurer. In either case the notice with the officer's written return thereon, showing the time and manner of service shall be returned to the treasurer's office and recorded in a book provided for that purpose and be preserved therein. In no event shall a deed be executed to a purchaser when notice has not been given as required. All moneys received by the treasurer for property sold for taxes under this and preceding section, including

money collected for costs shall be promptly accounted for and paid over by him to the city in the same manner as taxes collected in the usual and regular way.

This act shall take effect and be in force from and after its passage.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Chas. P. Farnsley	J. L. McDermott
C. W. Anderson, Jr.	T. P. Fitzpatrick	Lloyd MacDonald
W. T. Baker	G. W. Garrett	W. F. McGary
G. M. Ballard	James Garnett, Jr.	Elmer McGlothen
Reuben J. Boling	Ferd A. Gnau	Duke Mayfield
Douglas Bolling	Eugene Gough	G. S. Milam
Ollie J. Bowen	Ben Grogan	John B. Mollett
Wallace Brown	Jas. T. Hamilton	W. E. Mull
Dr. R. A. Byers	W. L. Hampton, Jr.	Tyler Munford
V. O. Chandler	Thomas W. Hines	Rodes K. Myers
Roscoe Claxon	Price Holbrook	Russell O'Neill
George S. Clay	Clyde S. Howard	Mel Petry
J. A. Coleman	Ira W. Hulette	A. W. Pfeiffer
Roy Conway	John M. Hunnicut	J. C. Ramey
Harry Davis	Ben W. Johnson	Hobart Rayburn
Sam Dever	J. H. Jones	L. K. Rice
Stanley S. Dickson	O. C. Jones	Wade H. Riley
George W. Dunlap	J. F. Ladd	Joe E. Robinson
Howard G. Early	Leslie Larrimore	W. T. Rollo
Garland Embry	Robert E. Lee	Carl Scheben
Walter R. Fannin	T. B. McConnell	Carl Schneider

Ray O. Shehan	Dr. H. S. Swope	Henry Ward	
Dr. B. F. Shields	W. R. Tapp	L. R. Wells	
P. L. Sidebottom	J. J. Thomas	W. G. Williams	
Chester D. Silvers	R. Van Bever, Jr.	Charles Wylie	
H. C. Steely	S. J. Wagner		
Henry Stewart	Joseph L. Wall		—79

Resolved that the title thereof be as aforesaid.

Mr. Scheben moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Dr. Shields moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, JANUARY 31, 1936.

The House was opened with prayer by the Reverend Ross E. Dillon of the First Baptist Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. T. Allen	Dr. R. A. Byers	George W. Dunlap
C. W. Anderson, Jr.	V. O. Chandler	Howard G. Early
H. T. Baker	Floyd Clark	Garland Embry
W. T. Baker	Roscoe Claxon	Clarence E. Evans
G. M. Ballard	George S. Clay	Walter R. Fannin
B. F. Bedford	T. A. Coleman	Chas. P. Farnsley
Reuben J. Boling	Roy Conway	T. P. Fitzpatrick
Douglas Bolling	Harry Davis	H. Myer Garner
Ollie J. Bowen	Sam Dever	G. W. Garrett
Wallace Brown	Stanley S. Dickson	James Garnett, Jr.

Ferd A. Gnau
Eugene Gough
Ben Grogan
Jas. T. Hamilton
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
Duke Mayfield
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

Mr. Davis moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Wylie moved that the privilege of the floor be extended to Mr. Robert Hensley.

Said motion was agreed to.

Mr. Hulette moved that the privilege of the floor be extended to Mr. Willie Ball of Franklin County.

Said motion was agreed to.

Mr. W. T. Baker moved that the privilege of the floor be extended to Mr. R. T. Kaspar and Byron Flood.

Said motion was agreed to.

Mr. Wells moved that the privilege of the floor be extended to Mr. R. M. Robertson and Mr. W. F. Miller.

Said motion was agreed to.

Mr. Davis moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Gnau moved that when the House adjourn today, it adjourn to meet again on Monday, February 3, at one o'clock P. M.

Said motion was agreed to.

Mr. Wells offered the following resolution, viz.:

Resolution designating a highway beginning at the Kentucky-Tennessee State line and running to the Mammoth Cave National Park as the Cordell Hull Parkway.

Whereas, It is the present policy of the Federal Government to construct highways to connect the national parks of the United States, and

Whereas, The Mammoth Cave National Park in the State of Kentucky, and the Great Smoky National Parks in Tennessee, are two of the most important national parks in the United States, which are now not connected by Federal highways, and

Whereas, The Honorable Cordell Hull, a native Tennesseean, and the present Secretary of State of the United States, has rendered outstanding service to the Nation, both as a member of Congress and as Secretary of State, and a highway connecting these two great national parks passes through the

native county and former home of this distinguished statesman: Therefore,

Be it Resolved by the General Assembly of the State of Kentucky:

That in honor of this great and distinguished Tennesseean, the Honorable Cordell Hull, and as a tribute to his service to the nation, that a highway beginning at the Kentucky-Tennessee state line at a point near Boles, Kentucky, and joining the Cordell Hull Parkway as designated by an act of the Tennessee Legislature adopted on the nineteenth day of July, 1935, and running by way of Tompkinsville, Kentucky, thence by the most direct and feasible route to the Mammoth Cave National Park, being that part of the highway connecting the Great Smoky Mountain National Park and the Mammoth Cave National Park which is in Kentucky, be and the same is named and designated the Cordell Hull Parkway.

Said resolution was adopted.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 160. An Act to amend and re-enact Chapter 65, Article V, Section 4, of the 1934 Kentucky Acts, pertaining to the merging of school districts.

H. B. 212. An Act to amend and re-enact Section 244, Kentucky Criminal Code of Practice, relating to the keeping together and separation of jurors.

H. B. 344. An Act to amend and re-enact Section 4399-43 of Carroll's Kentucky Statutes, relating to the bond and duties of Depositories of School Funds.

H. B. 210. An Act repealing Section 241 of Carroll's Kentucky Criminal Code of Practice, 1932 Edition of Baldwin.

H. B. 211. An Act repealing Section 240 of Carroll's Kentucky Criminal Code of Practice, Baldwin's 1932 Edition.

H. B. 316. An Act to amend and re-enact Section 1093, Carroll's Kentucky Statutes, Official Edition, revised 1930.

H. B. 114. An Act referring to the trapping of fur-bearing animals.

H. B. 24. An Act to amend and re-enact Section 3187d, Kentucky Statutes.

H. B. 79. An Act repealing and re-enacting Section 1596a-14, Carroll's Kentucky Statutes, 1930 Revised Edition, providing for the compensation of county election commissioners.

H. B. 141. An Act to provide for the stabilization of the milk industry in the State of Kentucky.

H. B. 209. An Act to amend Section 127 of the Criminal Code of Practice, Baldwin's Revision of 1932, so that the offenses of forgery and uttering a forged instrument may be charged in one indictment.

H. B. 372. An Act to repeal, amend and re-enact Chapter 139, Subsection D of Sections 5, 7, 9, 12, 19 and 20 of the Acts of the General Assembly of 1932, relating to qualification of registered barbers, beauty specialists, etc.

H. B. 214. An Act to amend and re-enact Sections 317, 326, 327, 328 of the Civil Code of Practice so as to permit the finding of special verdicts by juries in addition to general or separate general verdicts.

H. B. 213. An Act repealing Sections 203 and 204 of Carroll's Kentucky Criminal Code of Practice, Baldwin's 1932 Revision, and providing the number of peremptory challenges which both the Commonwealth and the defendant may have in the selection of the jury in felony, etc.

H. B. 274. An Act amending Section 2739g-2(A), Carroll's Kentucky Statutes, 1930 Edition, relating to the registration of automobiles and trucks.

H. B. 351. An Act relating to revenue and taxation and imposing an excise tax on gasoline, etc.

H. B. 301. An Act providing for local option elections and prohibiting sale, barter and loan of intoxicating liquors in local option territory.

H. B. 233. An Act to repeal and re-enact Section 4389-15 of Carroll's Supplement, relating to the duties of County Boards of Education.

H. Res. 32. Resolution providing for a bonus for teachers in 43 counties and 12 independent graded school districts of this Commonwealth.

S. Res. 16. Resolution providing for the payment of $5,973.73 out of the General Expenditure Fund for the purpose of paying to the State Journal its claim for services rendered.

H. Res. 50. Resolution for the benefit of the city of Princeton.

H. B. 427. An Act to provide Old Age Assistance to prescribe qualifications, etc.

H. B. 451. An Act to repeal Section 2380-7 of Carroll's

Kentucky Statutes, 1930 Edition, and re-enact in lieu thereof the following which relates to ditches and drains.

H. B. 441. An Act relating to Banks and Banking.

H. B. 488. An Act creating a division of loose leaf tobacco markets or warehouses, etc.

H. B. 479. An Act providing that teachers, instructors, professors and administrative officers in any school, college, university or either educational institutions, etc.

H. B. 415. An Act to repeal and re-enact Section 237 of the Kentucky Criminal Code relating to separate trials.

H. B. 473. An Act to amend Chapter 112 of the Acts of the General Assembly, 1928, relating to the pay of officers of election.

S. B. 37. An Act appropriating the sum of $75.00 per month for the use of the widow and children of Robert Rowland, deceased.

S. B. 38. An Act appropriating the sum of $75.00 per month for the use of the widow and children of Powell Hayes, deceased.

H. B. 279. An Act to amend and re-enact Section 20 of Article V of Chapter 65 of the 1934 Acts of the General Assembly of Kentucky, relating to elections for membership on Board of Education, etc.

S. Res. 24. Resolution permitting Ruth Bennett to sue the Commonwealth.

Ordered that said bills and resolutions be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills and resolutions be placed in the Orders of the Day.

Upon a call of the Counties and Legislative Districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Chandler:

H. B. 536. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at a point on Highway 60 in Crittenden County near Charlie Berry's, and running in a Southern direction to the town of Black Ford on the Treadwater River at the Webster County line, a distance of a mile and a half.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway in Crittenden County near Charlie Berry's, and running in a southern direction to the town of Black Ford on the Treadwater River at the Webster County line, a distance of a mile and a half.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

By Mr. Garnett:

H. B. 537. An Act relating to the Certification of Presidents, Deans, Heads of Departments, Registrars, Instructors and Teachers in state teachers' colleges of Kentucky and schools of education, and minimum requirements for such certification.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

All Presidents, Deans, Heads of Departments, Registrars, Instructors and Teachers in state teachers' colleges of Kentucky and schools of education shall be required to be certified by the State Board of Education through its executive officer, the Superintendent of Public Instruction.

(a) The minimum requirements for certification of Presidents, Deans, Registrars and Heads of Departments of state teachers' colleges and schools of education shall be no less than the requirements for certification of superintendents in the common schools.

(b) The minimum requirements for certification of Instructors and Teachers in state teachers' colleges and schools of education shall be no less than the maximum requirements for certification of teachers in the high schools.

By Mr. Pfeiffer:

H. B. 538. An Act to create the office of Public Defender and to provide for the duties of such office, to provide the manner in which he is appointed and removed from office and to provide for his compensation in counties having a population of two hundred and fifty thousand (250,000) or more.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all counties of this Commonwealth having a population of two hundred and fifty thousand, or more, is hereby created the office of Public Defender. Said Public Defender shall be a resident of the county in which he is appointed and a practising attorney who at the time of his appointment shall have had at least five years' practise at the bar and shall be appointed by the Judge of the Circuit Court having criminal jurisdiction, for a term of six (6) years, but may be removed at any time by said Circuit Judge having criminal jurisdiction.

§ 2. Whenever a defendant shall be arraigned upon indictment for any felony and shall request the Judge of the Circuit Court having criminal jurisdiction in such counties aforesaid, to appoint counsel to assist in his or her defense and has satisfied the court by his or her oath, or other required proof that he or she is unable, by reason of poverty to procure counsel, such court shall assign the defense of such case to the Public Defender.

§ 3. It shall be the duty of the Public Defender to appear for and defend all persons charged with any felony whenever it shall appear to the satisfaction of the court that the person accused is unable, by reason of poverty, to procure counsel.

§ 4. The salary of said Public Defender shall be thirty-six hundred ($3,600.00) dollars per annum, payable out of the county levy in equal monthly installments.

By Mr. Ward:

H. B. 539. An Act repealing, amending and re-enacting Section 3146, Carroll's Kentucky Statutes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3146, Carroll's Kentucky Statutes, be and

is hereby repealed, amended and re-enacted so that when so amended and re-enacted it shall read as follows:

There shall be established in and for each city of the second class a court to be called the police court, to be presided over by one judge to be elected as hereinafter provided who shall receive for his services such salary as the general council shall fix by ordinance, provided, however, that such salary shall not exceed Forty-Eight Hundred Dollars ($4,800.00) nor be less than Three Thousand Dollars ($3,000.00) per annum; and such judge shall not receive any other compensation except the fees allowed by law to judges for holding examining trials in felony cases. No person shall be eligible to the office of police judge who at the time of election is not twenty-five (25) years of age and a duly licensed and practicing attorney for at least two (2) years to said election and a resident of the city for four (4) years. This shall not apply to present incumbents.

All laws or parts of laws in conflict herewith are hereby repealed.

By Mr. Lee:

H. B. 540. An Act establishing as a part of the primary road system, a road extending from the intersection of same with Monticello-Jamestown Road near the residence of N. L. Jones, to Frisbie Post Office, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County extending from the intersection of same with Monticello-Jamestown Road, near the residence of J. L. Jones, to Frisbie Post Office.

By Mr. Lee:

H. B. 541. An Act establishing as a part of the primary road system, a road extending from the intersection of same with Monticello-Rankin Road, near the residence of J. I. Daugherty, crossing Cumberland River at Morrow's Landing, thence by way of C. L. Thurston's Store, at Grape Post Office, to the Post Office at Cedar Crest, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County extending from the intersection of same with Monticello-Rankin Road, near the residence of J. I. Daugherty, crossing Cumberland River at Morrow's Landing, thence by way of C. L. Thurston's Store, at Grape Post Office, to the Post Office at Cedar Crest.

By Mr. Lee:

H. B. 542. An Act establishing as a part of the primary road system, a road extending from the intersection of same with Highway No. 90 near the residence of Sam Molen, of Frazer Post Office, to the Betsey Post Office, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system, a road in Wayne County extending from the intersection of same with Highway No. 90, near the residence of Sam Molen, of Frazer Post Office, to the Betsey Post Office.

By Mr. Lee:

H. B. 543. An Act establishing as a part of the primary road system, a road extending from the intersection of same with Highway No. 90 at Mill Springs Post Office to Mitt Conley's store at Bud Post Office in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County, Kentucky, extending from the intersection of same with Highway No. 90 at Mill Springs Post Office to Mitt Conley's store at Bud Post Office.

By Mr. Lee:

H. B. 544. An Act establishing as a part of the primary road system, a road extending from the intersection of same with the Delta-Gregory Road at Gregory postoffice to Pueblo Post Office in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system, a road in Wayne County extending from the intersection of same with the Delta-Gregory Road at Gregory Post Office to Pueblo Post Office.

By Mr. Lee:

H. B. 545. An Act establishing as a part of the primary road system, a road extending from the intersection of same with the Monticello-Coopersville Road at Barrier Post Office by way of Burfield to the intersection of same with Parmleys-

ville-Mount Pisgah Road near the residence of H. R. Blevins, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system, a road in Wayne County extending from the intersection of same with the Monticello-Coopersville Road at Barrier Post Office by way of Burfield to the intersection of same with Parmleysville-Mount Pisgah Road near the residence of H. R. Blevins.

By Mr. Lee:

H. B. 546. An Act establishing as a part of the primary road system a road extending from the intersection of same with Highway No. 90 at Simpson's Store near Frazer Post Office by way of Hardwick to the intersection of same with the Kidder Road at or near Jodie Hammond's residence, thence to the intersection of same with the Bronston-Kidder Road near Kidder Post Office, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County extending from the intersection of same with Highway No. 90 at Simpson's Store, near Frazer Post Office by way of Hardwick to the intersection of same with the Kidder Road at or near Jodie Hammond's residence, thence to the intersection of same with the Bronston-Kidder Road near Kidder Post Office.

By Mr. Lee:

H. B. 547. An Act establishing as a part of the primary

road system a road extending from the intersection of same with the Monticello-Jamestown Road at Lower Parnell's School House by way of Dug Hill to the intersection of same with Highway No. 90 at Crabtrees shop in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County, Kentucky, extending from the intersection of same with the Monticello-Jamestown Road at Lower Parnell's School House by way of Dug Hill to the intersection of same with Highway No. 90 at Crabtree shop.

By Mr. Lee:

H. B. 548. An Act establishing as a part of the primary road system a road extending from the intersection of same with Oil Valley Road at Elk Spring Valley Cemetery crossing Coffey Mountain to the intersection of same with Monticello-Mount Pisgah Road at E. K. Abbott's store near Sumpter's School House, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County, extending from the intersection of same with Oil Valley Road at Elk Spring Valley Cemetery crossing Coffey Mountain to the intersection of same with Monticello-Mount Pisgah Road at E. K. Abbott's store near Sumpter's School House.

By Mr. McGlothen:

H. B. 549. An Act to divide the State of Kentucky into

Circuit Court Judicial Districts, creating a new district; to provide for the holding of Courts in such districts; and fixing the times and terms of the Circuit Courts in the Counties composing the several Judicial districts of this Commonwealth.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State of Kentucky shall be, and is hereby divided into thirty-eight circuit court judicial districts, embracing the counties and numbered, as follows, viz.:

First District: Ballard, Carlisle, Fulton, Graves and Hickman.

Second District: McCracken and Marshall.

Third District: Calloway, Christian, Lyon and Trigg.

Fourth District: Caldwell, Crittenden, Hopkins and Livingston.

Fifth District: Henderson, Union and Webster.

Sixth District: Ohio, Daviess, Hancock and McLean.

Seventh District: Logan, Muhlenberg, Simpson and Todd.

Eighth District: Allen, Butler, Edmonson and Warren.

Ninth District: Breckinridge, Grayson, Hardin and Meade.

Tenth District: Barren, Hart, Larue, Nelson, Metcalfe and Bullitt.

Eleventh District: Green, Marion, Taylor and Washington.

Twelfth District: Anderson, Henry, Shelby, Oldham, Spencer and Trimble.

Thirteenth District: Boyle, Garrard, Lincoln and Mercer.

Fourteenth District: Bourbon, Franklin, Scott and Woodford.

Fifteenth District: Boone, Carroll, Gallatin, Grant and Owen.

Sixteenth District: Kenton.

Seventeenth District: Campbell.

Eighteenth District: Harrison, Nicholas, Pendleton and Robertson.

Nineteenth District: Bracken, Fleming and Mason.

Twentieth District: Greenup and Lewis.

Twenty-first District: Rowan, Elliott and Morgan.

Twenty-second District: Fayette.

Twenty-third District: Estill, Lee and Owsley.

Twenty-fourth District: Johnson and Martin.

Twenty-fifth District: Clark, Jessamine and Madison.

Twenty-sixth District: Bell and Harlan.

Twenty-seventh District: Clay, Jackson and Laurel.

Twenty-eighth District: Rockcastle, Pulaski, Wayne and Clinton.

Twenty-ninth District: Adair, Casey, Cumberland, Monroe and Russell.

Thirtieth District: Jefferson.

Thirty-first District: Floyd and Knott.

Thirty-second District: Boyd.

Thirty-third District: Perry and Leslie.

Thirty-fourth District: Whitley, Knox and McCreary.

Thirty-fifth District: Pike and Letcher.

Thirty-sixth District: Breathitt, Wolfe and Magoffin.

Thirty-seventh District: Carter and Lawrence.

Thirty-eighth District: Bath, Montgomery, Powell and Menifee.

§ 2. That the times and terms of the circuit courts in the counties of the several judicial districts of this state shall be as follows:

First District:

Ballard County—at Wickliffe, on the first Monday in January, and continuing twelve juridical days; on the third

Monday in April and continuing twelve juridical days; on the fourth Monday in August and continuing eighteen juridical days.

Carlisle County—at Bardwell, on the third Monday in February and continuing twelve juridical days; on the first Monday in June and continuing twelve juridical days; on the first Monday in November and continuing twelve juridical days.

Fulton County—at Hickman, or Fulton, as provided by law and as the business of the court may require, on the third Monday in January and continuing twelve juridical days; on the second Monday in April and continuing six juridical days for civil business only; on the first Monday in May and continuing twelve juridical days; on the third Monday in September and continuing eighteen juridical days.

Graves County—at Mayfield, on the first Monday in March and continuing thirty juridical days; on the third Monday in June and continuing eighteen juridical days; on the third Monday in November and continuing thirty-six juridical days.

Hickman County—at Clinton, on the first Monday in February and continuing twelve juridical days; on the third Monday in May and continuing twelve juridical days; on the second Monday in October and continuing eighteen juridical days.

Second District:

McCracken County—at Paducah, on the first Monday in January, criminal term, eighteen juridical days; on the first Monday in February, civil term, forty-two juridical days; on the second Monday in April, criminal term, eighteen juridical days; on the second Monday in May, civil term, thirty-six juridical days; on the fourth Monday in September, criminal term, eighteen juridical days; on the first Monday in November, civil term, thirty-six juridical days.

Marshall County—at Benton, on the Fourth Monday in

March, twelve juridical days; on the fourth Monday in June, eighteen juridical days; on the third Monday in October, twelve juridical days.

Third District:

Calloway County—Murray, on second Monday in April and November, eighteen juridical days each; and the first Monday in August, twelve juridical days.

Christian County—Hopkinsville, on the fourth Monday in February and September, thirty-six juridical days each; and first Monday in June, twenty-four juridical days.

Lyon County—at Eddyville, on the first Monday in May, third Monday in August and first Monday in December, twelve juridical days each.

Trigg County—at Cadiz, on the fourth Monday in January, twenty-four juridical days; third Monday in May, twelve juridical days; first Monday in September, eighteen juridical days.

Fourth District:

Caldwell County—at Princeton, on the first Monday in March, twelve juridical days; and the first Monday in June and fourth Monday in October, eighteen juridical days each.

Crittenden County—at Marion, third Monday in March and fourth Monday in June, eighteen juridical days each; and third Monday in November, twelve juridical days.

Hopkins County—at Madisonville, on the first Monday in February, first Monday in May, and fourth Monday in September, twenty-four juridical days each.

Livingston County—at Smithland, on the second Monday in April, first Monday in September and first Monday in December, eighteen juridical days each.

Fifth District:

Henderson County—at Henderson, beginning on the first Monday in January and continuing twenty-four juridical days; on the third Monday in February and continue twenty-four juridical days; on the first Monday in May and continue

eighteen juridical days; on the second Monday in June and continue eighteen juridical days; on the third Monday in September and continue twenty-four juridical days; on the first Monday in November and continue twelve juridical days.

Union County—at Morganfield, beginning on the first Monday in February, the third Monday in March, the fourth Monday in May, the first Monday in September, the third Monday in October and the third Monday in November, and continue twelve juridical days each, if the business require.

Webster County—at Dixon, beginning on the first Mondays in April, July and December and continue twenty-four juridical days each, if the business require.

Sixth District:

Ohio County, at Hartford, second Monday in February, twelve juridical days; first Monday in April, twelve juridical days; first Monday in June, twelve juridical days; first Monday in September, twelve juridical days; second Monday in December, twelve juridical days.

Daviess County—at Owensboro; first Monday in January, eighteen juridical days; fourth Monday in February, eighteen juridical days; third Monday in April, twelve juridical days; second Monday in May, eighteen juridical days; third Monday in July, twelve juridical days; third Monday in September, twelve juridical days; third Monday in October, eighteen juridical days.

Hancock County—at Hawesville, fourth Monday in January, twelve juridical days; third Monday in June, twelve juridical days; second Monday in November, twelve juridical days.

McLean County—at Calhoun, third Monday in March, twelve juridical days; first Monday in July, twelve juridical days; fourth Monday in November, twelve juridical days.

Seventh District:

Logan County—at Russellville, on the first Monday in February, twenty-four juridical days; third Monday in May,

twenty-four juridical days; fourth Monday in September, twenty-four juridical days.

Muhlenberg County—at Greenville, on the second Monday in January and third Monday in April, first Monday in September, twenty-four juridical days in April, eighteen days in January and September each.

Simpson County—at Franklin, on the first Monday in March, third Monday in June and second Monday in November, eighteen juridical days each.

Todd County—at Elkton, on the fourth Monday in March, second Monday in July and first Monday in December, eighteen juridical days each.

Eighth District:

Allen County—at Scottsville, on the third Monday in January, twelve juridical days; third Monday in April, twelve juridical days; and third Monday in September, twelve juridical days.

Butler County—at Morgantown, the first Monday in May, twelve juridical days; the third Monday in August, twelve juridical days; the first Monday in December, twelve juridical days.

Edmonson County—at Brownsville, on the third Monday in March, twelve juridical days; third Monday in June, twelve juridical days; and on the third Monday in November, twelve juridical days.

Warren County—at Bowling Green, on the first Monday in January, twelve juridical days; third Monday in February, twenty-four juridical days; on the first Monday in April, twelve juridical days; third Monday in May, twenty-four juridical days; first Monday in September, twelve juridical days; and on third Monday in October, twenty-four juridical days.

Ninth District:

Breckinridge County—at Hardinsburg, on the second

Mondays in February and May and first Monday in October, eighteen juridical days each.

Grayson County—at Leitchfield, on the first Monday in January eighteen juridical days; on the first Monday in April eighteen juridical days; fourth Monday in August, eighteen juridical days.

Hardin County—at Elizabethtown, on the first Mondays in March and June and fourth Monday in October, twenty-four juridical days each for March and June and thirty juridical days for the October term.

Meade County—at Brandenburg, on the fourth Mondays in January and April and the third Monday in September, twelve juridical days each.

Tenth District:

That on and after the fifteenth day of August, nineteen hundred thirty-two the regular terms of the Circuit Courts in the counties comprising the Tenth Judicial District of Kentucky, shall commence in each county of the district at the following times and continue for the term, if the business of the court require it, the number of days hereinafter prescribed, namely:

Barren County—at Glasgow, first Monday in January, twelve juridical days; third Monday in April, twelve juridical days; second Monday in September, twelve juridical days.

Hart County—at Munfordville, third Monday in January, twelve juridical days; first Monday in May, twelve juridical days fourth Monday in September, twelve juridical days.

Larue County—at Hodgenville, first Monday in February, twelve juridical days; third Monday in May, twelve juridical days; second Monday in October, twelve juridical days.

Nelson County—at Bardstown, third Monday in February, twelve juridical days; first Monday in June, twelve juridical days; fourth Monday in October, twelve juridical days.

Metcalfe County—at Edmonton, fourth Monday in March, six juridical days; first Monday in July, six juridical days; second Monday in November, six juridical days.

Bullitt County—at Shepherdsville, first Monday in April, twelve juridical days; third Monday in July, twelve juridical days; third Monday in November, eighteen juridical days.

Eleventh District:

Green County—at Greenburg, on the third Mondays in March, June and November, twelve juridical days for March; eighteen juridical days for June and November.

Marion County—at Lebanon, on the fourth Mondays in January, April and September, twenty-four juridical days each, and first Monday in August, twelve juridical days each, for equity business only.

Taylor County—at Campbellsville, on the first Mondays in January, April and September, eighteen juridical days each.

Washington County—at Springfield, on the fourth Mondays in February, May and October, eighteen juridical days each.

Twelfth District:

Anderson County—at Lawrenceburg, second Monday in March, twelve juridical days; third Monday in June, twelve juridical days; fourth Monday in November, twelve juridical days.

Henry County—Newcastle, third Monday in January, twelve juridical days; third Monday in April, twelve juridical days; third Monday in September, twelve juridical days.

Shelby County—at Shelbyville, first Monday in February, eighteen juridical days; first Monday in May, eighteen juridical days; first Monday in October, eighteen juridical days.

Oldham County—at LaGrange, fourth Monday in February, twelve juridical days; fourth Monday in May, twelve

juridical days; fourth Monday in October, twelve juridical days.

Spencer County—at Taylorsville, fourth Monday in March, twelve juridical days; second Monday in June, six juridical days; second Monday in November, twelve juridical days.

Trimble County—at Bedford, second Monday in January, six juridical days; second Monday in April, six juridical days; first Monday in September, twelve juridical days.

Thirteenth District:

Boyle County—at Danville, on the first Monday in January, on the second Monday in April, on the second Monday in September, and continue eighteen juridical days each.

Garrard County—at Lancaster, on the second Monday in March and on the fourth Monday in November, and continue eighteen juridical days each, and on the fourth Monday in August, and continue twelve juridical days.

Lincoln County—at Stanford, on the third Monday in February, and continue twelve juridical days; on the fourth Monday in May and the first Monday in November, and continue eighteen juridical days.

Mercer County—at Harrodsburg, on the fourth Monday in January, first Monday in May, and continue eighteen juridical days each, and on the first Monday in October, and continue twenty-four juridical days.

Fourteenth District:

Bourbon County—at Paris, on the second Monday in March and November, eighteen juridical days each, and the third Monday in June, twelve juridical days.

Franklin County—at Frankfort, on the first Monday in January, twenty-four juridical days; first Monday in April, thirty juridical days; first Monday in September, twenty-four juridical days, and the first Monday after the close of the November term in Bourbon County, eighteen juridical days.

Scott County—at Georgetown, on the first Monday in

February and October, and the fourth Monday in May, eighteen juridical days each.

Woodford County—at Versailles, on the fourth Mondays in February and October, and the second Monday in May, twelve juridical days each.

Fifteenth District:

Boone County—at Burlington, on the second Mondays in April, August and December, twelve juridical days each.

Carroll County—at Carrollton, on the fourth Monday in April, August and November, twelve juridical days each.

Gallatin County—at Warsaw, on the third Monday in March, November and fourth Monday in June, twelve juridical days each except November, which is six juridical days.

Grant County—at Williamstown, on the first Mondays in February, June and October, eighteen juridical days each except June, which is twelve juridical days.

Owen County—at Owenton, on the first Tuesdays after the fourth Mondays in February and October and third Mondays in July, seventeen juridical days each except July, which is eighteen juridical days.

Sixteenth District:

Kenton County—at Covington, continuous session.

Seventeenth District:

Campbell County—at Newport, continuous session.

Eighteenth District:

Harrison County—at Cynthiana, on the fourth Mondays in February, and May and the third Monday in October, and continue twenty-four juridical days each.

Nicholas County—at Carlisle, on the first Mondays in February and May and the fourth Monday in September, eighteen juridical days each.

Pendleton County—at Falmouth, on the second Mondays in January and April and the first Monday in September, eighteen juridical days each.

Robertson County—at Mt. Olivet, on the fourth Monday in March and the third Mondays in August and November, twelve juridical days each.

Nineteenth District:

Bracken County—at Brooksville, on second Monday in November, the first Monday in March and the second Monday in June, and continue each for eighteen juridical days.

Fleming County—at Flemingsburg on the third Monday in October, on third Monday in January, to continue each for eighteen juridical days, and on the second Monday in May, and continue for twenty-four juridical days.

Mason County—at Maysville, on first Monday in September, first Monday in December, and fourth Monday in March, and continue each for thirty-six juridical days.

Twentieth District:

Greenup County—at Greenup, second Monday in January, eighteen juridical days; second Monday in March, eighteen juridical days; fourth Monday in April, eighteen juridical days; first Monday in July, eighteen juridical days; fourth Monday in October, eighteen juridical days; fourth Monday in November, twenty-four juridical days.

Lewis County—at Vanceburg, second Monday in February, eighteen juridical days; first Monday in June, eighteen juridical days; third Monday in September, twenty-four juridical days.

Twenty-First District:

Rowan County—at Morehead, the second Monday in January and continuing eighteen juridical days; the first Monday in April and continuing eighteen juridical days; the first Monday in September and continuing twenty-four juridical days.

Morgan County—at West Liberty, the second Monday in February and continuing eighteen juridical days; the first Monday in May and continuing twelve juridical days; the

second Monday in October and continuing twelve juridical days.

Elliott County—at Sandy Hook, the second Monday in March and continuing twelve juridical days; the fourth Monday in May and continuing twelve juridical days; the second Monday in November and continuing eighteen juridical days.

Twenty-Second District:

Fayette County—at Lexington, in continuous session.

Twenty-Third District:

Estill County—at Irvine, first Monday in February and continuing eighteen juridical days; first Monday in May and continuing eighteen juridical days; first Monday in October and continuing eighteen juridical days.

Lee County—at Beattyville, fourth Monday in February and continuing eighteen juridical days; fourth Monday in May and continuing eighteen juridical days; second Monday in November and continuing eighteen juridical days.

Owsley County—at Booneville, third Monday in March and continuing twelve juridical days; third Monday in June and continuing twelve juridical days; first Monday in December and continuing twelve juridical days.

Twenty-Fourth District:

Johnson County—at Paintsville, on the first Monday in February, twenty-four juridical days; second Monday in June, twenty-four juridical days; second Monday in November, twenty-four juridical days.

Martin County—at Inez, on the first Monday in April, eighteen juridical days; first Monday in August, eighteen juridical days; third Monday in October, eighteen juridical days.

Twenty-Fifth District:

Clark County—at Winchester, on the first Monday in April, twenty-four juridical days; on the second Monday in September, eighteen juridical days; on the first Monday in December, eighteen juridical days.

Jessamine County—at Nicholasville, on the first Monday in March, twelve juridical days; on the first Monday in June, twelve juridical days; on the first Monday in November, twelve juridical days.

Madison County—at Richmond, on the first Monday in February, twenty-four juridical days; on the first Monday in May, twenty-four juridical days; on the first Monday in October, twenty-four juridical days.

Twenty-Sixth District:

Bell County—at Pineville and Middlesboro, on the first Monday in January, twenty-four juridical days; fourth Monday in February, eighteen juridical days; second Monday in April, eighteen juridical days; fourth Monday in May, twenty-four juridical days; second Monday in September, eighteen juridical days; first Monday in November, eighteen juridical days.

Harlan County—at Harlan, first Monday in February, eighteen juridical days; third Monday in March, eighteen juridical days; first Monday in May, eighteen juridical days; third Monday in August, eighteen juridical days; first Monday in October, twenty-four juridical days; fourth Monday in November, twenty-four juridical days.

Grand juries shall be summoned and criminal and penal cases shall be heard only at the terms of court held at Pineville and Middlesboro, Bell County, on the fourth Monday in February, fourth Monday in May, first Monday in November. In Harlan County, at Harlan, at the terms beginning on the third Monday in March, third Monday in August, fourth Monday in November; unless in case of emergency the court may otherwise direct.

Twenty-Seventh District:

Clay County—at Manchester, on third Monday in January, and continue eighteen juridical days; third Monday in April, and continue eighteen juridical days; third Monday in September, and continue twenty-four juridical days.

Jackson County—at McKee, on first Monday in January and continuing twelve juridical days; fourth Monday in March, and continue twelve juridical days; fourth Monday in August and continue eighteen juridical days.

Laurel County—at London, second Monday in February and continue thirty juridical days; fourth Monday in May, and continue thirty juridical days; third Monday in October, and continue thirty juridical days.

Twenty-Eighth District:

Rockcastle County—at Mt. Vernon, second Monday in January, eighteen juridical days; second Monday in April, eighteen juridical days; third Monday in August, twenty-four juridical days.

Pulaski County—at Somerset, first Monday in February, twenty-four juridical days; second Monday in May, thirty juridical days; third Monday in September, forty-eight juridical days.

Wayne County—at Monticello, first Monday in March, eighteen juridical days; third Monday in June, eighteen juridical days; third Monday in November, eighteen juridical days.

Clinton County—at Albany, fourth Monday in March, twelve juridical days; second Monday in July, twelve juridical days; second Monday in December, eighteen juridical days.

Twenty-Ninth District:

That the time of holding the terms of circuit court in the Twenty-Ninth Juridical District shall be and are fixed as follows, to wit:

Adair County—at Columbia, first Mondays in March and July, and continuing twelve juridical days each; and on the first Wednesday after the first Monday in November and continue ten juridical days.

Casey County—at Liberty, on first Mondays in Febru-

ary, June and September, and continue twelve juridical days each.

Cumberland County—at Burkesville, on the third Mondays in March, August and November, and continue twelve juridical days each.

Monroe County—at Tompkinsville, on the first Mondays in April, August and December, and continue twelve juridical days each.

Russell County—at Jamestown, on the third Mondays in February, June and September, and continue twelve juridical days each.

Thirtieth District:

Jefferson County—at Louisville, continuous session.

Thirty-First District:

That a circuit court shall be held in Floyd County, as follows:

At Prestonsburg, Kentucky, beginning on the first Monday in January and continuing twenty-four (24) juridical days; beginning on the first Monday in February and continuing twenty-four (24) juridical days; beginning on the first Monday in April and continuing thirty-six (36) juridical days; beginning on the first Monday in September and continuing twenty-four (24) juridical days; and beginning on the first Monday in October and continuing twenty-four (24) juridical days.

That a circuit court shall be held in Knott County, as follows:

At Hindman, Kentucky, beginning on the first Monday in March and continuing twenty-four (24) juridical days; beginning on the second Monday in July and continuing eighteen (18) juridical days; and beginning on the second Monday in November and continuing twenty-four (24) juridical days.

Thirty-Second District:

Boyd County—at Catlettsburg, in continuous session.

Thirty-Third District:

Perry County—at Hazard, beginning on third Monday in February and continuing twenty-four juridical days; beginning on the second Monday in June and continuing twenty-four juridical days; beginning on the second Monday in September and continuing twenty-four juridical days and beginning on the fourth Monday in November and continuing twenty-four juridical days.

Leslie County—at Hyden, beginning on the third Monday in March and continuing eighteen juridical days; beginning on (the) third Monday in August and continuing eighteen juridical days; and beginning on (the) second Monday in November and continuing twelve juridical days.

Thirty-Fourth District:

Whitley County, at Williamsburg, beginning on second (2) Monday in January, and continuing thirty-six (36) juridical days; beginning on first (1) Monday in May and continuing thirty (30) juridical days; beginning on the third (3) Monday in September and continuing thirty-six (36) juridical days.

In Knox County, at Barbourville, beginning on the fourth (4) Monday in February and continuing (30) juridical days; beginning on second (2) Monday in June and continuing twenty-four (24) juridical days; and beginning on first (1) Monday in November and continuing twenty-four (24) juridical days.

In McCreary County, at Whitley City, beginning on first (1) Monday in April and continuing twenty-four (24) juridical days; beginning on fourth (4) Monday in August and continuing eighteen (18) juridical days; and beginning on first (1) Monday in December and continuing eighteen (18) juridical days.

Thirty-Fifth District:

That the times of holding of terms of circuit courts in

the Thirty-Fifth Juridical District shall be and are fixed as follows, to wit:

Letcher County, at Whitesburg:

Beginning on the first Monday in January and continuing twenty-four juridical days.

Beginning on the first Monday in April and continuing twenty-four juridical days.

Beginning on the first Monday in July and continuing twenty-four juridical days.

Beginning on the first Monday in October and continuing twenty-four juridical days.

Pike County, at Pikeville:

Beginning on the first Monday in February and continuing eighteen juridical days.

Beginning on the first Monday in March and continuing twenty-four juridical days.

Beginning on the first Monday in May and continuing eighteen juridical days.

Beginning on the first Monday in June, and continuing twenty-four juridical days.

Beginning on the first Monday in September and continuing eighteen juridical days.

Beginning on the second Monday in November and continuing twenty-four juridical days.

Thirty-Sixth District:

Breathitt County—at Jackson, beginning the second Monday in March and continuing eighteen juridical days; the second Monday in July and continuing twenty-four juridical days; the third Monday in October and continuing twenty-four juridical days.

Wolfe County—at Campton, beginning the first Monday in April and continuing twelve juridical days; the second Monday in September and continuing twelve juridical days; the first Monday in December and continuing twelve juridical days.

Magoffin County—at Salyersville, beginning the second Monday in January and continuing eighteen juridical days; the third Monday in April and continuing eighteen juridical days; the fourth Monday in September and continuing eighteen juridical days.

Thirty-Seventh District:

That the time of holding terms of the circuit court in the Thirty-seventh Judicial District shall be and are hereby fixed as follows, to wit:

Carter County—at Grayson, on the third Monday of of February, and continuing for twelve juridical days; second Monday of April and continuing for twelve juridical days; second Monday of May and continuing for twelve juridical days; first Monday of June and continuing twelve juridical days; first Monday of September and continuing for twelve juridical days; fourth Monday of November and continuing for twelve juridical days.

Lawrence County—at Louisa, on the second Monday in January and continuing eighteen juridical days; on third Monday in March and continuing twelve juridical days; on the third Monday in June and continuing eighteen juridical days; on the fourth Monday in September and continuing eighteen juridical days.

Thirty-Eighth District:

Bath County—at Owingsville, on the second Monday in February, eighteen juridical days; first Monday in May, twelve juridical days; third Monday in October, twelve juridical days.

Menifee County—at Frenchburg, fourth Monday in March, eighteen juridical days; second Monday in June, twelve juridical days; second Monday in September, twelve juridical days.

Montgomery County—at Mt. Sterling, second Monday in January, eighteen juridical days; third Monday in May,

twelve juridical days; second Monday in November, thirty juridical days.

Powell County—at Stanton, second Monday in March, twelve juridical days; fourth Monday in June, twelve juridical days; first Monday in October, twelve juridical days.

By Mr. Farnsley:

H. B. 550. An Act to prevent and punish the unlawful conversion and wrongful use of natural or manufactured gas, or mixture of same, and any unlawful interference with property, appliances or equipment used in measuring and distributing same.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

(1) Definitions:

(a) The term "person" when used in this Act includes natural persons, a partnership, private corporation and association or business trust.

(b) The term "gas" as used herein shall mean natural or manufactured gas or a mixture of same.

(2) That any person who, without the consent of another person engaged in the sale, transmission or distribution of gas in this state, shall unlawfully convert to his own use from any pipe, main or conduit of such person or who shall prevent such gas, or any part thereof, from passing through any meter provided for measuring it by such person, or who shall in any manner prevent such meter from correctly registering the gas passing through it, or who shall aid in any manner in the unlawful conversion to his own use or to the use of another any portion of such gas, shall be fined not less than Ten ($10.00) Dollars nor more than Five Hundred ($500.00) Dollars or imprisoned for not less than three months and not exceeding twelve months, or both so

fined and imprisoned in the discretion of the jury trying the case.

(3) Any person who shall unlawfully or maliciously destroy, injure or otherwise interfere with any meter, regulator, pipe or conduit, or other property or appliances belonging to any such person engaged in the sale, transmission or distribution of gas shall be punished by fine of not less than Ten ($10.00) Dollars nor more than Five Hundred ($500.00) Dollars or imprisoned not less than three months and not exceeding twelve months, or both so fined and imprisoned in the discretion of the jury.

(4) Any person who shall have in his possession any machine, appliance or contrivance of any character, used or intended to be used to prevent a meter from registering the gas passing through such meter, or for diverting the gas that should pass through such meter, shall be punished by a fine of not less than Ten ($10.00) Dollars nor more than Five Hundred ($500.00) Dollars or imprisoned for not less than three months nor more than twelve months, or both so fined and imprisoned in the discretion of the jury.

(5) Any person who shall knowingly accept or receive the use and benefit of any gas diverted as provided for in Section 4 of this Act shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than Ten ($10.00) Dollars nor more than Five Hundred ($500.00) Dollars, or imprisoned in the county jail for not less than three months nor more than twelve months, or both so fined and imprisoned in the discretion of the jury.

(6) An indictment shall be valid which charges any or all of the acts denounced and made unlawfud in Sections 2, 3, 4 and 5 hereof, in one count, and all of said acts may be charged and embraced in a single count in the indictment.

(7) The provisions of this Act are several and if any of the provisions hereof shall be held unconstitutional by a court of competent jurisdiction the decision of such court

shall not impair or affect any of the remaining provisions of this Act.

(8) This Act shall take effect from and after its passage and approval by the Governor as provided by law.

By Mr. Pfeiffer:

H. B. 551. An Act empowering the State Highways Commission as the sole authority to erect road markers designating state or federal highways or routes and prohibiting any other person from erecting such markers and providing penalties for violation of same.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Public highway as used in this Act means every state or federal road or highway in this state whether within or without the corporate limits of any municipality.

§ 2. The State Highway Commission shall have the sole right and authority to erect signs, markers or emblems for the purpose of designating any public highway as an official highway of this Commonwealth or of designating any road or route as being official.

§ 3. It shall be unlawful for any person or persons, firm, corporation or partnership to erect on or near the public highways of this Commonwealth any sign, marker or emblem for the purpose of designating such public highway as official, or that is similar to or like the signs, markers and emblems used by the State Highway Department for the designation of such highways and all such signs, markers or emblems heretofore erected by said person or persons, firm, corporation or partnership, shall be taken down by the person erecting same within three months after the effective date of this Act.

§ 4. Any person or persons, firm, corporation or part-

nership who violates any of the provisions of this Act shall be fined not less than Five nor more than One Hundred Dollars for each such offense and each day shall be considered a separate offense.

By Mr. Scheben:

H. B. 552. An Act to amend the Constitution of the Commonwealth of Kentucky so as to authorize the Legislature to provide for the needy blind.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon the concurrence of three-fifths of all members elected to each house, the yeas and nays being taken thereon and entered in full in their respective journals, the Constitution of the Commonwealth of Kentucky may be and is amended and revised so that it may read as follows:

§ 2. That the Legislature of the Commonwealth of Kentucky may, and is, permitted and authorized to provide relief or pension for the needy blind who reside in the Commonwealth of Kentucky.

§ 3. This amendment shall be submitted to the voters of the State for their ratification, adoption or rejection at the time and in the manner provided for under Section 256 of the Constitution of Kentucky, and under Section 1459 of the Edition of the Kentucky Statutes compiled and edited by John D. Carroll and issued in 1922.

By Mr. Joe E. Robinson:

H. B. 553. An Act to provide for the postponement of the rendition of judgment and the use of probation in criminal cases and empowering the Department of Public Welfare to appoint a director of probation and parole, and such pro-

bation and parole officers as are deemed necessary and defining their powers and duties; repealing page 148, Sections 1, 2, 3 and 4 of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1934, being Sections 979b-1, 979b-2, 979b-3 and 979b-4 of Baldwin's 1934 Edition of Carroll's Kentucky Statutes, and all other laws or parts of laws in conflict herewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. *Probation and Postponement of Rendition of Judgment.* The courts may place on probation any person before them charged with crime, except in cases where the jury has returned a verdict and found the accused guilty and fixed the penalty of the accused at life imprisonment or death. After conviction or plea of guilty, the court may postpone the rendition of judgment and may also place the defendant on probation, or may impose a fine and also place the defendant on probation.

§ 2. *Investigation.* When directed by the court the probation officer shall fully investigate and report to the court in writing the circumstances of the offense, criminal record, social history and present condition of defendant. No defendant charged with a felony, and, unless the court shall direct otherwise in individual cases, no other defendant shall be placed on probation or released under the postponement of rendition of judgment until the report of such investigation shall have been presented to and considered by the court. Whenever practicable, such investigation shall include physical and mental examinations of the defendant. If such defendant is committed to an institution, a copy of the report of such investigation shall be sent to the institution at the time of commitment.

§ 3. *Conditions of Probation.* The court shall deter-

mine and may at any time modify the conditions of probation and may include among them the following, or any other: That the Probationer shall:

(a) avoid injurious or vicious habits;

(b) avoid persons or places of disreputable or harmful character;

(c) report to the probation officer as directed;

(d) permit the probation officer to visit him at his home or elsewhere;

(e) work faithfully at suitable employment as far as possible;

(f) remain within a specified place;

(g) pay a fine in one or several sums as directed by the court;

(h) make reparation or restitution to the aggrieved party for the damage or loss caused by his offense, in an amount to be determined by the court;

(i) support his dependants.

§ 4. *Termination of Probation, Arrest, Subsequent Disposition.* The period of probation or postponement of rendition of judgment shall be determined by the court and may be continued or extended. Upon the satisfactory fulfillment of the conditions of probation or postponement of rendition of judgment, the court shall by order duly entered discharge the defendant. At any time during the period of probation or postponement of judgment, the court may issue a warrant and cause the defendant to be arrested for violating any of the conditions of probation or postponement of rendition of judgment. Any probation officer, police officer or other officer with power of arrest, upon the request of the probation officer, may arrest a probationer without a warrant. In case of an arrest without a warrant the arresting officer shall have a written statement by said probation officer setting forth that the probationer has, in his judgment, violated conditions of

probation and said statement shall be sufficient warrant for the detention of said probationer in the county jail, or other appropriate place of detention, until such probationer shall be brought before the Court. Such probation officer shall forthwith report such arrest and detention to the court and submit in writing a report showing in what manner the probationer has violated probation. Thereupon the court, after a hearing, may revoke the probation or postponement of rendition of judgment and shall proceed to deal with the case as if there had been no probation or postponement of rendition of judgment.

§ 5. *Appointment of the Director of Probation and Parole; Duties.* The Department of Public Welfare shall appoint a Director of Probation and Parole, who shall receive a salary to be fixed by the Department of Public Welfare, and who shall give his entire time to the work. The Director of Probation and Parole shall appoint, subject to the approval of the Department of Public Welfare, such probation and parole officers as are required for service in the courts, other than juvenile courts, and for the supervision of persons paroled from the institutions under the control of the Department of Public Welfare. The Director shall from time to time conduct competitive examinations to establish lists of persons eligible for appointment as probation and parole officers. He shall prescribe qualifications for entrance into such examinations and the eligibility of candidates for appointment. No person shall be appointed under this Act as probation or parole officer who has not been certified by the Director of Probation and Parole as eligible in pursuance of such rules and examinations. The Director of Probation and Parole shall supervise the work of the Probation and Parole Officers appointed under this Act. He shall keep informed of the work of all probation and parole officers; he shall inspect the work of such officers and shall have access to their records; he shall make an annual written report with statis-

tical and other information to the Department of Public Welfare; he shall compile and publish annually a list of the probation and parole officers of the State. He shall require reports of their work at regular intervals from probation and parole officers and juvenile courts; shall prescribe the form of records and reports to be used by probation and parole officers; shall consult and cooperate with the courts and institutions in the development of methods and procedure in the administration of probation and parole; and shall arrange conferences of probation and parole officers and judges.

§ 6. *Assignment and Compensation of Probation and Parole Officers.* Probation and parole officers appointed under this Act shall be assigned to serve in such courts or districts as the Director of Probation and Parole may determine. They shall be paid such salaries as the Department of Public Welfare may prescribe and may also be paid traveling and other necessary expenses incurred in the performance of their duties.

§ 7. *Duties and Powers of Probation and Parole Officers.* A probation or parole officer shall investigate all cases referred to him for investigation by any court or by the Department of Public Welfare, and shall report in writing thereon. He shall furnish to each person released on probation or parole under his supervision a written statement of the conditions of probation or parole and shall instruct him regarding the same. Such officer shall keep informed concerning the conduct and condition of each person on probation or parole under his supervision by visiting, requiring reports and in other ways and shall report thereon in writing as often as the court or Department of Public Welfare may require. Such officer shall use all practicable and suitable methods, not inconsistent with the conditions imposed by the court, or Department of Public Welfare, to aid and encourage persons on probation or parole and to bring about improvement in their conduct and condition. Such officer shall keep

detailed records of his work; shall keep accurate and complete accounts of all moneys collected from persons under his supervision and shall keep or give receipts therefor; shall pay over all moneys collected from the defendant to the court having jurisdiction of a person on probation; and in the event that such money is collected in restitution, or for the support of neglected or abandoned dependents, such money shall be paid to the aggrieved, neglected or abandoned parties and receipts therefor taken and filed in the records of the case; shall make such reports in writing to the Director of Probation and Parole as he may require; and shall perform such other duties as the Director of Probation and Parole may require. A probation or parole officer shall have, in the execution of his duties, the powers of arrest and the same right to execute processs as is now given, or that may hereafter be given by law, to the sheriffs of this Commonwealth.

§ 8. *Protection of Records.* All information and data obtained in the discharge of official duty by any probation or parole officer shall be privileged information, shall not be received as evidence in any court, and shall not be disclosed directly or indirectly to any one other than to the judge or to others entitled under this Act to receive reports, unless and until otherwise ordered by such judge or the Department of Public Welfare.

§ 9. *Office Accommodations of Probation Officers.* The fiscal court in each county in which a probation officer serves shall provide in or near the Court House suitable office space for such officer.

§ 10. Page 148, Sections 1, 2, 3 and 4 of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1934, being Sections 979b-1, 979b-2, 979b-3, and 979b-4 of Baldwin's 1934 Edition of Carroll's Kentucky Statutes, and all other laws or parts of laws in conflict herewith are hereby repealed.

By Mr. Mayfield:

H. B. 554. An Act to amend, revise, and re-enact Section 883f-10 of Carroll's Kentucky Statutes, 1930 Edition, same being Section 10 of Chapter 1 of the Acts of the General Assembly of Kentucky of 1922, relating to and authorizing the formation of non-profit, cooperative associations, with or without capital stock, for the purpose of encouraging the orderly marketing of agricultural products through cooperation; defining the various terms used therein; enumerating the activities and powers of such an association; prescribing the rights and privileges of memberships; providing for articles of incorporation, declaring what they shall contain, manner of exceuting and filing and method of amending same; providing for by-laws and what they may contain, etc.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 883f-10 of Carroll's Kentucky Statutes, 1930 Edition, same being Section 10 of Chapter 1 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1922, approved January 10, 1922, be and the same is hereby amended, revised, and re-enacted by inserting at the end of the second sentence in the first paragraph thereof the following words: "but after the adoption of such by-laws same may at any time be amended by a majority vote of the members or stockholders present at any regular meeting thereof or at any special meeting thereof called and held after publication of notice of such special meeting in at least one issue of one newspaper in each of the counties in the territory in which said association has members at least ten days before the date of such special meeting", so that when said section is so amended, revised, and re-enacted the same shall read as follows:

Section 883f-10. *By-laws.*—Each association incorporated under this act must, within thirty (30) days after its incorporation, adopt for its government and management, a code of by-laws, not inconsistent with the powers granted by this act. A majority vote of the members or stockholders, or their written assent, is necessary to adopt such by-laws; but after the adoption of such by-laws same may at any time be amended by a majority vote of the members or stockholders present at any regular meeting thereof or at any special meeting thereof called and held after publication of notice of such special meeting in at least one issue of one newspaper in each of the counties in the territory in which said association has members at least ten days before the date of such special meeting. Each association, under its by-laws, may provide for any or all of the following matters:

(a) The time, place and manner of calling and conducting its meetings.

(b) The number of stockholders or members constituting a quorum.

(c) The right of members or stockholders to vote by proxy or by mail or both; and the conditions, manner, form, and effects of such votes.

(d) The number of directors constituting a quorum.

(e) The qualifications, compensation and duties and term of office of directors and officers; time of their election and the mode and manner of giving notice thereof.

(f) Penalties for violations of the by-laws.

(g) The amount of entrance, organization and membership fees, if any; the manner and method of collection of the same; and the purposes for which they may be used.

(h) The amount which each member or stockholder shall be required to pay annually or from time to time, if at all, to carry on the business of the association; the charge, if any, to be paid by each member or stockholder for services ren-

dered by the association to him and the time of payment and the manner of collection; and the marketing contract between the association and its members or stockholders which every member or stockholder may be required to sign.

(i) The number and qualification of members or stockholders of the association and the conditions precedent to membership or ownership of common stock; the method, time and manner of permitting members to withdraw or the holders of common stock to transfer their stock; the manner of assignment and transfer of the interest of members and of the shares of common stock; the conditions upon which and time when membership of any member shall cease; the automatic suspension of the rights of a member when he ceases to be eligible to membership in the association; and the mode, manner and effect of the expulsion of a member; the manner of determining the value of a member's interest and provision for its purchase by the association upon the death or withdrawal of a member or stockholder, or upon the expulsion of a member or forfeiture of his membership, or, at the option of the association, the purchase of a price fixed by conclusive appraisal by the board of directors. In case of the withdrawal or expulsion of a member, the board of directors shall equitably and conclusively appraise his property interest in the association and shall fix the amount thereof in money, which shall be paid to him within one year after such expulsion or withdrawal.

By Mr. Garnett:

H. B. 555. An Act appropriating funds to the Kentucky Board of Pharmacy for the fiscal year ending June 30, 1936, and declaring an emergency to exist.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Whereas, the regular session of the General Assembly

of 1934 enacted a law, known as Chapter 25 of the printed copy of said Acts, to provide for an adequate, unified and integrated system of financial and business administration; and,

Whereas, Section 14 of said Act provided for the establishment of Revolving Fund Accounts in the State Treasury for self-supporting agencies such as the State Board of Pharmacy, wherein the receipts of such agency or agencies from fees or gifts or otherwise should be deposited with the State Treasurer, credited by him to such Rvolving Fund Account, and expended for the purpose of such agency on requisition to the Auditor of Public Accounts, without further specific appropriation; and provided further that such receipts thus deposited with the Treasurer should at all times be reserved in the State Treasury available for disbursement for the purposes of the agency and should not be diverted for any other purpose; and,

Whereas, the Extraordinary session of the same General Assembly of 1934, in the Budget Appropriation Act, being Chapter 2 of the printed volume of said Acts, through mistake and oversight, and overlooking the provisions of Chapter 25 of the Regular session above referred to, did undertake to appropriate for the Kentucky Board of Pharmacy for the fiscal year ending June 30, 1935, and the fiscal year ending June 30, 1936, a specific sum of money for each of said years, to wit, the sum of Six Thousand, Seven Hundred and Fifty Dollars ($6,750.00), which appropriation was inconsistent with the financial procedures above referred to, as set out in the said Chapter 25; and,

Whereas, the Governor of the Commonwealth vetoed similar appropriations made for other self-sustaining agencies in his veto message appearing on pages 98 to 102, inclusive, of said printed Acts of said Extraordinary session, and intended to veto the specific appropriation made for the State Board of Pharmacy in order to harmonize the two Acts which

became a law at the same time, to wit, July 1, 1934, but opinion is divided and there is a question as to whether such veto became effective as to the appropriation for the State Board of Pharmacy; and,

Whereas, as a result of said appropriation the State Board of Pharmacy was credited on the books of the Auditor of Public Accounts for each of said fiscal years with only the sum of Six Thousand, Seven Hundred and Fifty Dollars ($6,750.00), whereas the total receipts from fees paid in by said agency for the fiscal year ending June 30, 1935, amounted to a total of Eight Thousand, Six Hundred and Eighty Dollars ($8,680.00), or One Thousand, Nine Hundred and Thirty Dollars ($1,930.00) in excess of said appropriation, which balance was diverted into the General Expenditure Fund under the interpretation placed upon said Act and said veto:

Now, Therefore, in order to rectify said errors and to give full credit to the Kentucky State Board of Pharmacy in the Treasury for the fees actually received and paid into the Treasury, and to permit the State Board of Pharmacy to draw against said credit for the operation and maintenance of said governmental agency, there is hereby appropriated to the State Board of Pharmacy the sum of $1,930.00 out of the General Expenditure Fund as a deficiency appropriation.

§ 2. Whereas, more than half of the fiscal year has now passed and said Board of Pharmacy is in dire need of the funds hereby appropriated, an emergency is declared to exist and this Act shall become effective upon its passage and approval by the Governor.

By Mr. Pfeiffer:

H. B. 556. An Act to amend and re-enact Section 1 of Chapter 3 of the Acts of the General Assembly passed in its 1934 session, being Section 101a-1 of Chapter 8 of Carroll's Kentucky Statutes of 1934.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1, Chapter 3 of the Acts of the General Assembly of 1934, be and the same is hereby repealed, amended and re-enacted, so that when said section is amended and re-enacted the same shall read as follows:

(A) Defining the practice of law, but no provision herein shall prevent any person not holding himself out as a practicing attorney from writing a deed, mortgage or will, or prevent any party from drawing any instrument to which he is a party.

(B) Prescribing a code of ethics governing the professional conduct of Attorneys at Law and the practice of law.

(C) Establishing practice and procedure for disciplining, suspending and disbarring attorneys at law.

(D) Organizing and governing a Bar Association of the attorneys at law of this State to act as an administrative agency of the Court of Appeals of Kentucky for the purpose of enforcing such rules and regulations as are prescribed, adopted and fromulgated by the Court of Appeals under this Act, providing for the government of the State Bar as a part of the judicial department of the State government, and for such divisions thereof as the Court of Appeals shall determine, and requiring all persons practicing law in this State to be members thereof in good standing, and fixing the form of its organization and operation.

(E) Fixing a schedule of fees to be paid for the purpose of administering this Act, and rules and regulations to be prescribed, adopted and promulgated hereunder for the collection and disbursement of such fees, provided, that the annual fees shall not exceed the sum of Two ($2.00) Dollars.

(F) The members of the State Bar being a part of the Judicial Department of the State Government, shall be ex-

empt from any occupational or professional tax levied by any county, town, city or other municipal corporation.

(G) All Acts or parts of Acts inconsistent herewith are hereby repealed.

By Mr. Farnsley:

H. B. 557. An Act providing for the licensing of hucksters in the Commonwealth of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all persons, firms, or corporations operating and doing business as itinerant huckesters in this Commonwealth, shall be required to obtain a license therefor for selling, bartering, or offering for sale at retail any provisions, nuts, fruits, vegetables, or poultry outside the boundary of any classified city or town. The fee for said license shall be the sum of Two Hundred Fifty Dollars ($250.00) for each person, firm, or corporation so engaged and for each wagon, truck, or cart so used.

§ 2. The provisions of this act shall not apply to any farmer or other person who shall sell or offer for sale any article as aforesaid which was raised or produced by himself or family on his own farm or by his own labor.

By Mr. McDermott:

H. Res. 58. Joint resolution relating to kitchen equipment for basement restaurant in State Capitol.

Said resolution is as follows, viz.:

Whereas, The kitchen equipment in the Capitol restaurant is wholly inadequate and causes conditions to exist which are unsatisfactory to many who patronize the restaurant: Therefore,

Be it Resolved:

That a Joint Committee of the House and Senate be appointed to have these conditions corrected and that the sum of $2,000.00 be appropriated from the State General Funds to be expended under the direction of this Joint Committee for proper equipment in this kitchen.

By Mr. Garnett:

H. Res. 59. Resolution authorizing William C. Wells and Mary Helen Wells, his wife, and Matt Wells, who reside in Louisville, Jefferson County, Kentucky, to file suits against the Commonwealth of Kentucky and the State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, on November 14, 1934, on Highway 60, in Breckinridge County, Kentucky, between Harned and Hardinsburg, William C. Wells, and his wife, Mary Helen Wells and his father, Matt Wells, were riding in an automobile owned by William C. Wells, which automobile was run into and collided with by a truck owned by the Commonwealth of Kentucky, and then being operated and used by an employee of the State Highway Department and working upon the State Highway, thereby causing them to be severely and critically injured and the automobile of said William C. Wells to be damaged:

Now, Therefore, in order that they may determine their rights by judicial action, and the question of negligence, if any, causing said injuries to each of them, may be determined by judicial action,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That William C. Wells, in his own right and name, Mary Helen Wells, in her own right and name, and Matt

Wells, in his own right and name, be and they are hereby empowered and authorized to file and prosecute suits, severally and respectively, against the Commonwealth of Kentucky, and the State Highway Commission, or either, for the purpose of determining the liability of the Commonwealth of Kentucky, and the State Highway Commission, or either, for such injuries and damage, if any, there be, arising from above stated facts, and in the event any judgment in either action is recovered by said William C. Wells, Mary Helen Wells, and Matt Wells, or either of them, or same are compromised and settled, judgments or amount agreed on in compromise, if any, shall be paid by the Auditor of Public Accounts, by warrant drawn on the State Treasury and paid out of the General Fund.

§ 2. Such actions may be brought in any circuit court of the Commonwealth of Kentucky, which has jurisdiction of the subject matter, provided that any such action shall be instituted within one year from the date this resolution becomes effective.

§ 3. Either party to any suit may appeal from any judgment which may be entered therein, as in any other civil suit and the cases may be settled and adjusted with the consent and approval of the Attorney General of Kentucky, in the same way as any other civil case.

To Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 4. An Act to amend and re-enact Section 1 of an Act providing for the renewal of franchises of public utilities in cities of the second, third, fourth, fifth and sixth classes, being Section 1 of Chapter 137 of the 1926 Acts of the General Assembly of Kentucky relating to Municipal Corporations,

and being Section 2741m-1 of Carroll's Kentucky Statutes, 1930 Edition.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1 of an Act providing for the renewal of franchises of public utilities in cities of the second, third fourth, fifth and sixth classes, being Section 1 of Chapter 137 of the 1926 Acts of the General Assembly of Kentucky relating to municipal corporations, and being Section 2741m-1 of Carroll's Kentucky Statutes, 1930 Edition, be, and the same hereby is, amended and re-enacted so that the same, when amended and re-enacted, shall read as follows:

Section 1. Provision for Sale of New Franchise in Certain Cities.—That at least eighteen months before the expiration of any franchise, acquired under, or prior to the present Constitution, it shall be the duty of the proper legislative body or boards of all cities and towns of this Commonwealth, except cities of the first class, to provide for the sale of a new franchise to the highest and best bidder on terms and conditions which shall be fair and reasonable to the municipality, to the public service corporation, and to the patrons of the corporation, and which shall specify the quality of service to be rendered.

Provided: That if there is no public necessity for the kind of public utility in question and if the municipality shall desire to discontinue entirely the kind of service in question, or if the city owns or desires to own and operate a municipal plant to render the required service, then this act shall not apply.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

C. W. Anderson, Jr.	Eugene Gough	A. W. Pfeiffer
H. T. Baker	Ben Grogan	J. C. Ramey
W. T. Baker	W. L. Hampton, Jr.	L. K. Rice
Reuben J. Boling	Thomas W. Hines	Wade H. Riley
Ollie J. Bowen	Clyde S. Howard	John C. Robinson
Wallace Brown	Ira W. Hulette	W. T. Rollo
V. O. Chandler	John M. Hunnicut	A. W. Ross
Floyd Clark	J. H. Jones	Carl Scheben
Roscoe Claxon	O. C. Jones	Ray O. Shehan
George S. Clay	J. F. Ladd	Dr. B. F. Shields
J. A. Coleman	Leslie Larrimore	P. L. Sidebottom
Roy Conway	T. B. McConnell	Chester D. Silvers
Sam Dever	J. L. McDermott	H. C. Steely
Stanley S. Dickson	Lloyd MacDonald	W. R. Tapp
George W. Dunlap	W. F. McGary	J. J. Thomas
Howard G. Early	Elmer McGlothen	S. J. Wagner
Chas. P. Farnsley	Duke Mayfield	Joseph L. Wall
T. P. Fitzpatrick	W. H. Miller	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
James Garnett, Jr.	Russell O'Neill	W. G. Williams
Ferd A. Gnau	Mel Petry	Charles Wylie

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Those who voted in the negative were—

Douglas Bolling	G. S. Milam	Dr. H. S. Swope
Harry Davis	Tyler Munford	R. Van Bever, Jr.
Walter R. Fannin	Hobart Rayburn	
H. Myer Garner	Henry Stewart	

—10

Resolved that the title thereof be as aforesaid.

Mr. Ward moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 118. An Act repealing, amending and re-enacting Sections 528, 533 and 535 of the Kentucky Statutes, Carroll's Edition of 1930, regulating and defining the duties of Coroners, and providing penalty for failure to report sudden deaths, and creating the office of Deputy Coroner.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections 528, 533 and 535 of the Kentucky Statutes, Carroll's Edition of 1930, relating to the duties of Coroners, be amended and when so amended and re-enacted shall read as follows:

Section 528. It shall be the duty of the Coroner, upon request by any responsible citizen or when he has reason to believe the death of a human being has resulted within his county, resident or non-resident of the Commonwealth of Kentucky, without the attendance of a physician qualified to sign the certificate of death, or by reason of crime, homicide, suicide, drowning or otherwise suddenly killed, to investigate such death and hold an inquest over said dead body.

In the event that death results from violence or accident within ninety days from onset, it shall be the duty of the Coroner to hold an inquest the same as if death occurred immediately.

It shall be the duty of any person or persons discovering or finding or having in their possession within the county the dead body of any person slain, drowned or otherwise suddenly killed or whose death occurred without the attendance of a physician, to immediately notify the Coroner and

not remove such body, nor any thing therefrom until directed to do so by the Coroner or other duly authorized person.

Any person violating the provisions of this act shall be guilty of a misdemeanor and fined not less than Ten Dollars nor more than One Hundred Dollars, or be confined in jail for not less than ten days nor more than fifty days, or both so fined and imprisoned in the discretion of the court or jury trying the case.

Section 533. Jury, when summoned, etc. In holding inquests, the Coroner shall not require a jury except in cases of probable homicide, or where death was caused by the negligence of some person other than the deceased, or upon the request of some member of the family. The jury summonsed and sworn by the Coroner must be composed of six reputable citizens of the county, and upon oath, shall inquire and state, in writing, if they know, in what manner the person came to his or her death, when, where, how and by whom.

The jury shall be allowed for their service the sum of fifty cents each, the same to be paid by the County Clerk and a voucher drawn on the County Treasurer.

Section 535. Inquests, when a Deputy Coroner or Justice May Hold. When the Coroner is in the county and at his office or place of business and able to attend to his duties, an inquest shall not be held by any other person, but if the attendance of the Coroner can not be had on account of sickness or absence from the county, a Deputy Coroner appointed by the Coroner, with no additional expense to the county or city, may act as Coroner and have same power and authority as the Coroner. In case no such deputy is designated or appointed by the Coroner or the Coroner is absent from the county or sick, and the condition or situation of the body be such as to require immediate interment, any Justice of the Peace may hold an inquest, as Coroners are authorized to do, and shall be allowed for the service the same compensation as the Coroner and to be paid in the same manner.

Mr. Gnau offered the following amendment to said bill, viz.:

Amend H. B. 118 by inserting in line 6, page 1, after the word "resulted" the following words "from unnatural cause" and in line 17, page 2, after the word "occurred" the words "from natural cause"

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Stanley S. Dickson	John M. Hunnicut
W. T. Baker	George W. Dunlap	Ben W. Johnson
B. F. Bedford	Howard G. Early	J. H. Jones
Reuben J. Boling	Walter R. Fannin	J. F. Ladd
Ollie J. Bowen	Chas. P. Farnsley	Leslie Larrimore
Wallace Brown	T. P. Fitzpatrick	T. B. McConnell
Jas. C. Carter	H. Myer Garner	J. L. McDermott
V. O. Chandler	G. W. Garrett	Lloyd MacDonald
Floyd Clark	James Garnett, Jr.	W. F. McGary
George S. Clay	Ferd A. Gnau	Elmer McGlothen
J. A. Coleman	Ben Grogan	Duke Mayfield
Roy Conway	W. L. Hampton, Jr.	G. S. Milam
Herbert Cook	Price Holbrook	W. H. Miller
Harry Davis	Clyde S. Howard	John B. Mollett
Sam Dever	Ira W. Hulette	W. E. Mull

J. C. Nickell	W. T. Rollo	Dr. H. S. Swope
Russell O'Neill	A. W. Ross	W. R. Tapp
Mel Petry	Carl Scheben	J. J. Thomas
A. W. Pfeiffer	Ray O. Shehan	R. Van Bever, Jr.
J. C. Ramey	Dr. B. F. Shields	S. J. Wagner
Hobart Rayburn	P. L. Sidebottom	Joseph L. Wall
L. K. Rice	Chester D. Silvers	Henry Ward
Wade H. Riley	Bruce Sloan	L. R. Wells
Joe E. Robinson	H. C. Steely	W. G. Williams
John C. Robinson	Henry Stewart	Charles Wylie

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Those who voted in the negative were—

Roscoe Claxon Eugene Gough —2

Resolved that the title thereof be as aforesaid.

Mr. Fitzpatrick moved that the vote by which said bill was passed be reconsidered and that said motion lien on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 68. An Act repealing Chapter 81 of the Acts of the 1930 General Assembly and Chapter 101 of the Acts of the 1934, being subsection "c" of the Section 2739g-2, Baldwin's Kentucky Statute Service, 1932 and 1934 Supplement, and amending and re-enacting the same; defining passenger automobiles and providing for registration fees of such motor vehicles, and for motorcycles.

With a Committee amendment therto by way of Substitute therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 81 of the Acts of the General Assembly of 1930 and Chapter 101 of the Acts of the General Assembly of 1934, the same being subsection "c" of Section 2739g-2, Baldwin's Kentucky Statute Service, 1932 and 1934 Supplements, be repealed, amended and re-enacted, so that when said section is re-enacted it will read as follows:

Automobiles primarily designed for carrying passengers and having provisions for not more than seven passengers, including the operator, shall be classed as passenger automobiles and the annual registration fee for same shall be three dollars per year.

§ 2. The registration fee for each motorcycle shall be one dollar and fifty cents per year, and for each side car attached thereto one dollar per year.

Said Substitute is as follows, viz.:

H. B. 68. An Act defining passenger automobiles and providing for the registration fees of such motor vehicles and for motorcycles and side-car attachments, and repealing all laws or parts of laws in conflict herewith and repealing so much of the Act of the General Assembly of 1936 heretofore enacted as fixes the amount of said registration fees.

Be it anacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Automobiles primarily designed for carrying passengers and having provisions for not more than seven passengers including the operator, shall be classed as passenger automobiles, and the annual registration fee for the same shall be four dollars and fifty cents ($4.50) per year, and the County Clerk who issues said registration fee shall receive the fee now allowed by law.

§ 2. The registration fee for each motorcycle shall be two dollars ($2.00) per year and for each side-car attachment thereto, one dollar ($1.00) per year.

§ 3. All laws or parts of laws in conflict herewith are hereby repealed and so much of the Act of the General Assembly of 1936 heretofore adopted, which fixes the amount of the registration fees of said automobiles or motorcycles or side cars is hereby repealed.

§ 4. This law shall not become effective until January 1, 1937.

Mr. Milam moved that said bill be made a Special Order of the Day, for Monday at two-thirty o'clock P. M.

Said motion was disagreed to.

Mr. Ramey moved that said bill be recommitted to the Committee on Rules.

Said motion was disagreed to.

Mr. Milam moved that said bill be laid on the Clerk's desk.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Milam and Munford, were as follows, viz.:

Those who voted in the affirmative were—

Roscoe Claxon	Wade H. Riley	J. J. Thomas
G. S. Milam	H. C. Steely	Joseph L. Wall
Tyler Munford	Henry Stewart	L. R. Wells

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Those who voted in the negative were—

C. W. Anderson, Jr. H. T. Baker W. T. Baker

B. F. Bedford	Ben Grogan	J. C. Nickell
Reuben J. Boling	W. L. Hampton, Jr.	Mel Petry
Douglas Bolling	Price Holbrook	A. W. Pfeiffer
Ollie J. Bowen	Clyde S. Howard	J. C. Ramey
Wallace Brown	Ira W. Hulette	Hobart Rayburn
Jas. C. Carter	John M. Hunnicut	L. K. Rice
V. O. Chandler	Ben W. Johnson	Joe E. Robinson
Floyd Clark	J. H. Jones	John C. Robinson
George S. Clay	O. C. Jones	W. T. Rollo
J. A. Coleman	J. F. Ladd	A. W. Ross
Roy Conway	Leslie Larrimore	Carl Scheben
Herbert Cook	T. B. McConnell	Ray O. Shehan
Harry Davis	J. L. McDermott	Dr. B. F. Shields
Sam Dever	Lloyd MacDonald	P. L. Sidebottom
Stanley S. Dickson	W. F. McGary	Chester D. Silvers
George W. Dunlap	Elmer McGlothen	Bruce Sloan
Howard G. Early	C. S. Matherly	Dr. H. S. Swope
Walter R. Fannin	Duke Mayfield	W. R. Tapp
T. P. Fitzpatrick	W. H. Miller	R. Van Bever, Jr.
H. Myer Garner	John B. Mollett	S. J. Wagner
G. W. Garrett	W. E. Mull	Henry Ward
Eugene Gough	Rodes K. Myers	Charles Wylie

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Said substitute was then adopted.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

C. W. Anderson, Jr.	H. T. Baker	W. T. Baker

B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
Eugene Gough
Ben Grogan
W. L. Hampton, Jr.
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
Duke Mayfield
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
W. G. Williams
Charles Wylie
—74

Those who voted in the negative were—

Chas. P. Farnsley
James Garnett, Jr.
Thomas W. Hines
W. T. Rollo
H. C. Steely
J. J. Thomas
L. R. Wells
—7

Resolved that the title thereof be as amended.

Mr. Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 223. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky a road in Johnson County, Kentucky, known as the Caudill Highway.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the Primary System of public roads of the Commonwealth of Kentucky, a road, beginning at mouth of Sycamore in Johnson County, Kentucky, on the Mayo Trail and intersecting therewith; thence up Toms Creek to the mouth of Froggonry Creek; thence up same to head; thence across the hill to head of Rock House; thence down Rock House by way of Chandlersville to the mouth of same, so as to intersect at that point with the Sitka Blaine Road Project. Being a distance of approximately 14 miles.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker W. T. Baker B. F. Bedford

Reuben J. Boling	C. L. Hammons	A. W. Pfeiffer
Douglas Bolling	W. L. Hampton, Jr.	Hobart Rayburn
Ollie J. Bowen	Thomas W. Hines	L. K. Rice
Wallace Brown	Price Holbrook	Joe E. Robinson
Jas. C. Carter	Clyde S. Howard	John C. Robinson
V. O. Chandler	Ira W. Hulette	W. T. Rollo
Floyd Clark	John M. Hunnicut	A. W. Ross
Roscoe Claxon	Ben W. Johnson	Carl Scheben
George S. Clay	J. H. Jones	Ray O. Shehan
J. A. Coleman	O. C. Jones	Dr. B. F. Shields
Roy Conway	J. F. Ladd	P. L. Sidebottom
Herbert Cook	Leslie Larrimore	Bruce Sloan
Harry Davis	T. B. McConnell	H. C. Steely
Sam Dever	J. L. McDermott	Henry Stewart
Stanley S. Dickson	Lloyd MacDonald	Dr. H. S. Swope
George W. Dunlap	W. F. McGary	W. R. Tapp
Howard G. Early	Elmer McGlothen	J. J. Thomas
Garland Embry	C. S. Matherly	R. Van Bever, Jr.
Walter R. Fannin	G. S. Milam	S. J. Wagner
T. P. Fitzpatrick	W. H. Miller	Joseph L. Wall
H. Myer Garner	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
James Garnett, Jr.	Rodes K. Myers	W. G. Williams
Ferd A. Gnau	J. C. Nickell	Charles Wylie
Eugene Gough	Russell O'Neill	
Ben Grogan	Mel Petry	

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Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 224. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky a road in Johnson County, Kentucky, known as the Whippoorwill road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby establish as a part of the Primary System of public roads of the Commonwealth of Kentucky, a road, beginning near the mouth of Paint Creek intersecting the Garrett Highway No. 40 near the bridge across Big Sandy River, Johnson County, Kentucky; thence down the river to the mouth of Muddy Branch; thence up Muddy Branch to the head of same; thence down Whippoorwill Creek to the mouth of Rush Fork of Toms Creek intersecting with Mayo Trail No. 23 at Dr. W. R. Castle farm, to be known as Project No. .....

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker W. T. Baker B. F. Bedford

Reuben J. Boling	C. L. Hammons	A. W. Pfeiffer
Douglas Bolling	W. L. Hampton, Jr.	Hobart Rayburn
Ollie J. Bowen	Thomas W. Hines	L. K. Rice
Wallace Brown	Price Holbrook	Joe E. Robinson
Jas. C. Carter	Clyde S. Howard	John C. Robinson
V. O. Chandler	Ira W. Hulette	W. T. Rollo
Floyd Clark	John M. Hunnicut	A. W. Ross
Roscoe Claxon	Ben W. Johnson	Carl Scheben
George S. Clay	J. H. Jones	Ray O. Shehan
J. A. Coleman	O. C. Jones	Dr. B. F. Shields
Roy Conway	J. F. Ladd	P. L. Sidebottom
Herbert Cook	Leslie Larrimore	Bruce Sloan
Harry Davis	T. B. McConnell	H. C. Steely
Sam Dever	J. L. McDermott	Henry Stewart
Stanley S. Dickson	Lloyd MacDonald	Dr. H. S. Swope
George W. Dunlap	W. F. McGary	W. R. Tapp
Howard G. Early	Elmer McGlothen	J. J. Thomas
Garland Embry	C. S. Matherly	R. Van Bever, Jr.
Walter R. Fannin	G. S. Milam	S. J. Wagner
T. P. Fitzpatrick	W. H. Miller	Joseph L. Wall
H. Myer Garner	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
James Garnett, Jr.	Rodes K. Myers	W. G. Williams
Ferd A. Gnau	J. C. Nickell	Charles Wylie
Eugene Gough	Russell O'Neill	
Ben Grogan	Mel Petry	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 225. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky a road in Johnson County, Kentucky, known as the Offutt road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the Primary System of public roads of the Commonwealth of Kentucky, a road beginning at the mouth of Two-Mile Creek in Johnson County, Kentucky, on the Garrett Highway and intersecting therewith; thence down Greasy Creek to Offutt, thence down the east side of the river to the river ferry, thence across the river and up the west side to the mouth of Toms Creek, thence up Toms Creek by way of same so as to intersect with the Mayo Trail where it crosses Toms Creek at the W. R. Castle farm. To be known as Project No. .....

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
James Garnett, Jr.
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley
Chester D. Silvers

—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 230. An Act establishing as a part of the Primary System of State highways of the Commonwealth of Kentucky, a road from the Murray-Paducah Road No. 95 to the Mayfield-Aurora Road No. 98 in Marshall County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonmonwealth of Kentucky:

§ 1. That there is hereby established as a part of the Primary System of State highways of the Commonwealth of Kentucky, a road beginning at Albert Lee's gasoline station situated on the Murray-Paducah road No. 95 in the town of Hardin running east two-tenths of a mile; thence north three-tenths of a mile to the Mayfield-Aurora road No. 98, where it passes the property of R. M. Gardner in Marshall County, Kentucky, to be designated as Project No. .....

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to all the laws now in existence or to be hereafter enacted in relation to same.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker W. T. Baker B. F. Bedford

Reuben J. Boling	C. L. Hammons	A. W. Pfeiffer
Douglas Bolling	W. L. Hampton, Jr.	Hobart Rayburn
Ollie J. Bowen	Thomas W. Hines	L. K. Rice
Wallace Brown	Price Holbrook	Joe E. Robinson
Jas. C. Carter	Clyde S. Howard	John C. Robinson
V. O. Chandler	Ira W. Hulette	W. T. Rollo
Floyd Clark	John M. Hunnicut	A. W. Ross
Roscoe Claxon	Ben W. Johnson	Carl Scheben
George S. Clay	J. H. Jones	Ray O. Shehan
J. A. Coleman	O. C. Jones	Dr. B. F. Shields
Roy Conway	J. F. Ladd	P. L. Sidebottom
Herbert Cook	Leslie Larrimore	Bruce Sloan
Harry Davis	T. B. McConnell	H. C. Steely
Sam Dever	J. L. McDermott	Henry Stewart
Stanley S. Dickson	Lloyd MacDonald	Dr. H. S. Swope
George W. Dunlap	W. F. McGary	W. R. Tapp
Howard G. Early	Elmer McGlothen	J. J. Thomas
Garland Embry	C. S. Matherly	R. Van Bever, Jr.
Walter R. Fannin	G. S. Milam	S. J. Wagner
T. P. Fitzpatrick	W. H. Miller	Joseph L. Wall
H. Myer Garner	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
James Garnett, Jr.	Rodes K. Myers	W. G. Williams
Ferd A. Gnau	J. C. Nickell	Charles Wylie
Eugene Gough	Russell O'Neill	
Ben Grogan	Mel Petry	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 235. An Act relating to roads and highways and fixing a project to be added to the Primary System of Roads and Highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be placed on the State Primary road system a road beginning at or near the residence of John B. Barnes (and store) and near the intersection of the Old Mt. Vernon and Somerset Road with Highway No. 80; thence nearly West, crossing the Somerset and Crab Orchard Road, about ½ mile South of Dabney Postoffice intersecting with the Science Hill and Union Church Road near the ford of Pitman Creek, thence nearly west to Science Hill crossing the C. S. Railway near Depot, intersecting Highway No. 27 in the town of Science Hill near Peoples Bank, Methodist Church and other buildings, over Main Street in said town.

This road established to be entitled to and receive all benefits of such laws as are now or may hereafter be enacted relating to the Primary System of Highways in the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
G. W. Garrett	Rodes K. Myers	Charles Wylie
James Garnett, Jr.	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid,

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 240. An Act adding to the State Primary System of Highways a project connecting Daniel Boone, Hopkins County, Kentucky, with U. S. No. 41 near Williams Coal Company mine, Chrisian County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road project beginning at a point on U. S. No. 62 near Daniel Boone, Hopkins County, Kentucky, via Daniel Boone Schoolhouse following the county road as near as practical to a point on U. S. No. 41 near Williams Coal Company property, Christian County, Kentucky, a distance of about six (6) miles.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker W. T. Baker B. F. Bedford

Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
James Garnett, Jr.
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 241. An Act adding to the State Primary System of Highways a project connecting Nebo with Silent Run Schoolhouse, Hopkins County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road project beginning at Nebo via Coiltown and Watson Bridge following the county road as near as practical to a point on the Dawson Springs-Providence road near Silent Run Schoolhouse, Hopkins County, Kentucky, a distance of about five (5) miles.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Ollie J. Bowen	Roscoe Claxon
W. T. Baker	Wallace Brown	George S. Clay
B. F. Bedford	Jas. C. Carter	J. A. Coleman
Reuben J. Boling	V. O. Chandler	Roy Conway
Douglas Bolling	Floyd Clark	Herbert Cook

Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
James Garnett, Jr.
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 242. An Act adding to the State Primary System

of Highways a project connecting U. S. No. 41 at Mitchell's Hill with the Hanson-Cox's Store road, near Buck Wooten's old home, Hopkins County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road project beginning at a point known as Mitchell's Hill on U. S. No. 41 North of Madisonville, Hopkins County, Kentucky, and running with the old road as near as practical via Tucker's Schoolhouse and Olive Branch Church, and intersecting the Hanson-Cox's Store proposed road at or near the Buck Wooten old home, Hopkins County, Kentucky, a distance of about five (5) miles.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Wallace Brown	J. A. Coleman
W. T. Baker	Jas. C. Carter	Roy Conway
B. F. Bedford	V. O. Chandler	Herbert Cook
Reuben J. Boling	Floyd Clark	Harry Davis
Douglas Bolling	Roscoe Claxon	Sam Dever
Ollie J. Bowen	George S. Clay	Stanley S. Dickson

George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
James Garnett, Jr.
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 243. An Act adding to the State Primary System of Highways a project connecting the Old Henderson road

North of Cox's Store, in Hopkins County, Kentucky, with U. S. No. 41E, at Slaughters, Webster County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road project beginning at a point on the Old Henderson road in Hopkins County, Kentucky, one (1) mile North of Cox's Store via the Jim Nance farm and M. H. Brown farm and the Dick Dickerson farm following the county road as near as practical to Slaughters, Webster County, Kentucky, and intersecting U. S. No. 41E a distance of about seven (7) miles.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Jas. C. Carter	Herbert Cook
W. T. Baker	V. O. Chandler	Harry Davis
B. F. Bedford	Floyd Clark	Sam Dever
Reuben J. Boling	Roscoe Claxon	Stanley S. Dickson
Douglas Bolling	George S. Clay	George W. Dunlap
Ollie J. Bowen	J. A. Coleman	Howard G. Early
Wallace Brown	Roy Conway	Garland Embry

Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
James Garnett, Jr.
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that thee title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 245. An Act adding to the State Primary System of Highways a project connecting the Madisonville-Sacramento road with the Jim Vannoy-Browder's Church road, Hopkins County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road project beginning at Phillips' gasoline station on the Madisonville-Sacramento road, Hopkins County, Kentucky, and running South along the county road as near as practical with the Davis-Wells road via Wilson Schoolhouse and Noble Slaton farm to a point in the Jim Vannoy and Browder's Church road at Alonzo Wooten's farm, a distance of about four (4) miles in Hopkins County, Kentucky.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Floyd Clark	George W. Dunlap
W. T. Baker	Roscoe Claxon	Howard G. Early
B. F. Bedford	George S. Clay	Garland Embry
Reuben J. Boling	J. A. Coleman	Walter R. Fannin
Douglas Bolling	Roy Conway	T. P. Fitzpatrick
Ollie J. Bowen	Herbert Cook	H. Myer Garner
Wallace Brown	Harry Davis	G. W. Garrett
Jas. C. Carter	Sam Dever	James Garnett, Jr.
V. O. Chandler	Stanley S. Dickson	Ferd A. Gnau

Eugene Gough	Elmer McGlothen	Ray O. Shehan
Ben Grogan	C. S. Matherly	Dr. B. F. Shields
C. L. Hammons	G. S. Milam	P. L. Sidebottom
W. L. Hampton, Jr.	W. H. Miller	Bruce Sloan
Thomas W. Hines	John B. Mollett	H. C. Steely
Price Holbrook	W. E. Mull	Henry Stewart
Clyde S. Howard	Rodes K. Myers	Dr. H. S. Swope
Ira W. Hulette	J. C. Nickell	W. R. Tapp
John M. Hunnicut	Russell O'Neill	J. J. Thomas
Ben W. Johnson	Mel Petry	R. Van Bever, Jr.
J. H. Jones	A. W. Pfeiffer	S. J. Wagner
O. C. Jones	Hobart Rayburn	Joseph L. Wall
J. F. Ladd	L. K. Rice	Henry Ward
Leslie Larrimore	Joe E. Robinson	L. R. Wells
T. B. McConnell	John C. Robinson	W. G. Williams
J. L. McDermott	W. T. Rollo	Charles Wylie
Lloyd MacDonald	A. W. Ross	
W. F. McGary	Carl Scheben	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 246. An Act adding to the State Primary System of Highways a project connecting Manitou, Hopkins County, Kentucky, with Dixon, Webster County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road project beginning at Manitou, Hopkins County, Kentucky, running via Cox's Store, Ebb Brown's Store and Vandersburg, following the county road as near as practical to a point near Dixon, Webster County, Kentucky, on the Dixon-Slaughters road, a distance of twelve (12) miles.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	J. A. Coleman	G. W. Garrett
W. T. Baker	Roy Conway	James Garnett, Jr.
B. F. Bedford	Herbert Cook	Ferd A. Gnau
Reuben J. Boling	Harry Davis	Eugene Gough
Douglas Bolling	Sam Dever	Ben Grogan
Ollie J. Bowen	Stanley S. Dickson	C. L. Hammons
Wallace Brown	George W. Dunlap	W. L. Hampton, Jr.
Jas. C. Carter	Howard G. Early	Thomas W. Hines
V. O. Chandler	Garland Embry	Price Holbrook
Floyd Clark	Walter R. Fannin	Clyde S. Howard
Roscoe Claxon	T. P. Fitzpatrick	Ira W. Hulette
George S. Clay	H. Myer Garner	John M. Hunnicut

Ben W. Johnson	Rodes K. Myers	Bruce Sloan
J. H. Jones	J. C. Nickell	H. C. Steely
O. C. Jones	Russell O'Neill	Henry Stewart
J. F. Ladd	Mel Petry	Dr. H. S. Swope
Leslie Larrimore	A. W. Pfeiffer	W. R. Tapp
T. B. McConnell	Hobart Rayburn	J. J. Thomas
J. L. McDermott	L. K. Rice	R. Van Bever, Jr.
Lloyd MacDonald	Joe E. Robinson	S. J. Wagner
W. F. McGary	John C. Robinson	Joseph L. Wall
Elmer McGlothen	W. T. Rollo	Henry Ward
C. S. Matherly	A. W. Ross	L. R. Wells
G. S. Milam	Carl Scheben	W. G. Williams
W. H. Miller	Ray O. Shehan	Charles Wylie
John B. Mollett	Dr. B. F. Shields	
W. E. Mull	P. L. Sidebottom	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 247. An Act adding to the State Primary System of Highways a project connecting U. S. No. 41 North of Nebo, Hopkins County, Kentucky, with the Providence-Slaughters road, Webster County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary

System of Highways of Kentucky, a road project beginning at Morrow's Lane, about one (1) mile North of Nebo, Hopkins County, Kentucky, and running near Grace Cartwright's farm via Corinth Church following the county road as near as practical to a point of intersection on the Slaughters-Providence public road, in Webster County, Kentucky, a distance of about six (6) miles.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Harry Davis	W. L. Hampton, Jr.
W. T. Baker	Sam Dever	Thomas W. Hines
B. F. Bedford	Stanley S. Dickson	Price Holbrook
Reuben J. Boling	George W. Dunlap	Clyde S. Howard
Douglas Bolling	Howard G. Early	Ira W. Hulette
Ollie J. Bowen	Garland Embry	John M. Hunnicut
Wallace Brown	Walter R. Fannin	Ben W. Johnson
Jas. C. Carter	T. P. Fitzpatrick	J. H. Jones
V. O. Chandler	H. Myer Garner	O. C. Jones
Floyd Clark	G. W. Garrett	J. F. Ladd
Roscoe Claxton	James Garnett, Jr.	Leslie Larrimore
George S. Clay	Ferd A. Gnau	T. B. McConnell
J. A. Coleman	Eugene Gough	J. L. McDermott
Roy Conway	Ben Grogan	Lloyd MacDonald
Herbert Cook	C. L. Hammons	W. F. McGary

Elmer McGlothen	L. K. Rice	Dr. H. S. Swope
C. S. Matherly	Joe E. Robinson	W. R. Tapp
G. S. Milam	John C. Robinson	J. J. Thomas
W. H. Miller	W. T. Rollo	R. Van Bever, Jr.
John B. Mollett	A. W. Ross	S. J. Wagner
W. E. Mull	Carl Scheben	Joseph L. Wall
Rodes K. Myers	Ray O. Shehan	Henry Ward
J. C. Nickell	Dr. B. F. Shields	L. R. Wells
Russell O'Neill	P. L. Sidebottom	W. G. Williams
Mel Petry	Bruce Sloan	Charles Wylie
A. W. Pfeiffer	H. C. Steely	
Hobart Rayburn	Henry Stewart	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 248. An Act adding to the State Primary System of Highways a project connecting Hanson and Nebo via Cox's Store, Hopkins County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road beginning at the intersection of Main Street and U. S. No. 41E at Hanson,

Hopkins County, Kentucky, and going in a Westerly direction via Buntin's Schoolhouse and Cox's Store following the county road as near as practical to near Nebo, Hopkins County, Kentucky, a distance of about ten (10) miles.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	George W. Dunlap	Ben W. Johnson
W. T. Baker	Howard G. Early	J. H. Jones
B. F. Bedford	Garland Embry	O. C. Jones
Reuben J. Boling	Walter R. Fannin	J. F. Ladd
Douglas Bolling	T. P. Fitzpatrick	Leslie Larrimore
Ollie J. Bowen	H. Myer Garner	T. B. McConnell
Wallace Brown	James Garnett, Jr.	J. L. McDermott
Jas. C. Carter	G. W. Garrett	Lloyd MacDonald
V. O. Chandler	Ferd A. Gnau	W. F. McGary
Floyd Clark	Eugene Gough	Elmer McGlothen
Roscoe Claxon	Ben Grogan	C. S. Matherly
George S. Clay	C. L. Hammons	G. S. Milam
J. A. Coleman	W. L. Hampton, Jr.	W. H. Miller
Roy Conway	Thomas W. Hines	John B. Mollett
Herbert Cook	Price Holbrook	W. E. Mull
Harry Davis	Clyde S. Howard	Rodes K. Myers
Sam Dever	Ira W. Hulette	J. C. Nickell
Stanley S. Dickson	John M. Hunnicut	Russell O'Neill

Mel Petry	Ray O. Shehan	R. Van Bever, Jr.
A. W. Pfeiffer	Dr. B. F. Shields	S. J. Wagner
Hobart Rayburn	P. L. Sidebottom	Joseph L. Wall
L. K. Rice	Bruce Sloan	Henry Ward
Joe E. Robinson	H. C. Steely	L. R. Wells
John C. Robinson	Henry Stewart	W. G. Williams
W. T. Rollo	Dr. H. S. Swope	Charles Wylie
A. W. Ross	W. R. Tapp	
Carl Scheben	J. J. Thomas	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 249. An Act creating and establishing as part of the primary system of State Highways of the Commonwealth of Kentucky, a road in Monroe County, Kentucky, beginning at Crowe School House on Highway No. 100, and running thence to the Kentucky-Tennessee State Line at Clementsville, Clay County, Tennessee.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is created and established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Monroe County, Kentucky, beginning at

the Crowe Schoolhouse at a point on State Highway No. 100, and running thence via George Compton's and Glenn Jackson's to the Kentucky-Tennessee State line at or near Clementsville, Clay County, Tennessee, a distance of approximately two (2) miles.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Harry Davis	W. L. Hampton, Jr.
W. T. Baker	Sam Dever	Thomas W. Hines
B. F. Bedford	Stanley S. Dickson	Price Holbrook
Reuben J. Boling	George W. Dunlap	Clyde S. Howard
Douglas Bolling	Howard G. Early	Ira W. Hulette
Ollie J. Bowen	Garland Embry	John M. Hunnicut
Wallace Brown	Walter R. Fannin	Ben W. Johnson
Jas. C. Carter	T. P. Fitzpatrick	J. H. Jones
V. O. Chandler	H. Myer Garner	O. C. Jones
Floyd Clark	James Garnett, Jr.	J. F. Ladd
Roscoe Claxon	G. W. Garrett	Leslie Larrimore
George S. Clay	Ferd A. Gnau	T. B. McConnell
J. A. Coleman	Eugene Gough	J. L. McDermott
Roy Conway	Ben Grogan	Lloyd MacDonald
Herbert Cook	C. L. Hammons	W. F. McGary

Elmer McGlothen	L. K. Rice	Dr. H. S. Swope
C. S. Matherly	Joe E. Robinson	W. R. Tapp
G. S. Milam	John C. Robinson	J. J. Thomas
W. H. Miller	W. T. Rollo	R. Van Bever, Jr.
John B. Mollett	A. W. Ross	S. J. Wagner
W. E. Mull	Carl Scheben	Joseph L. Wall
Rodes K. Myers	Ray O. Shehan	Henry Ward
J. C. Nickell	Dr. B. F. Shields	L. R. Wells
Russell O'Neill	P. L. Sidebottom	W. G. Williams
Mel Petry	Bruce Sloan	Charles Wylie
A. W. Pfeiffer	H. C. Steely	
Hobart Rayburn	Henry Stewart	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 251. An Act to amend, repeal and re-enact Chapter 162 of the Acts of the regular session of the General Assembly of Kentucky of 1934, relating to a road leading from the Hearne School House at junction of State Primary 103 in Owen County by Golds Valley School House and Nelse Kinman's Store to a point on State Primary 102 between the residences of Walter Sebastian and Robert Scroggan, in Grant County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 162 of the Acts of the regular session of the General Assembly of Kentucky of 1934 be amended by striking therefrom the following language:

"There is hereby established as a part of the primary system of the State Highways of the Commonwealth of Kentucky, a road beginning at the Hearne School House in Owen County, Kentucky, on State Primary 103, and running by Golds Valley School House, Nelse Kinman's Store and connecting with State Primary 102 between the residences of Walter Sebastian and Robert Scroggan in Grant County, Kentucky."

And by substituting therefor, the following language:

"There is hereby established as a part of the primary system of the State Highways of the Commonwealth of Kentucky, a road beginning at the Hearne School House in Owen County, Kentucky, on State primary 103, and running by Golds Valley School House, thence to Nelse Kinman's Store, thence leaving the established road in a southeasternly direction through the farms of John Sebastian and Roy D. Wood to and connecting with the Wood and Taylor Dirt Road, thence with said dirt road to a point on State Primary 102 at a point between the residences of Jesse Sebastian and Bartley Ballard, in Grant County, Kentucky."

So that when done said Section will read as follows, to wit:

"There is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning at the Hearne School House in Owen County, Kentucky, on State Primary 103 and running by Golds School House, thence to Nelse Kinman's Store, thence leaving the established road in a southeasternly direction through the farms of John Sebastian and Roy D. Wood, to and connecting with the Wood and Taylor dirt road, thence

with said dirt road to a point on State Primary 102 at a point between the residences of Jesse Sebastian and Bartley Ballard, in Grant County, Kentucky."

The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways, the same as though said road had been named in said original Act as one of the projects of said primary system of highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Harry Davis	W. L. Hampton, Jr.
W. T. Baker	Sam Dever	Thomas W. Hines
B. F. Bedford	Stanley S. Dickson	Price Holbrook
Reuben J. Boling	George W. Dunlap	Clyde S. Howard
Douglas Bolling	Howard G. Early	Ira W. Hulette
Ollie J. Bowen	Garland Embry	John M. Hunnicut
Wallace Brown	Walter R. Fannin	Ben W. Johnson
Jas. C. Carter	T. P. Fitzpatrick	J. H. Jones
V. O. Chandler	H. Myer Garner	O. C. Jones
Floyd Clark	James Garnett, Jr.	J. F. Ladd
Roscoe Claxon	G. W. Garrett	Leslie Larrimore
George S. Clay	Ferd A. Gnau	T. B. McConnell
J. A. Coleman	Eugene Gough	J. L. McDermott
Roy Conway	Ben Grogan	Lloyd MacDonald
Herbert Cook	C. L. Hammons	W. F. McGary

Elmer McGlothen	L. K. Rice	Dr. H. S. Swope
C. S. Matherly	Joe E. Robinson	W. R. Tapp
G. S. Milam	John C. Robinson	J. J. Thomas
W. H. Miller	W. T. Rollo	R. Van Bever, Jr.
John B. Mollett	A. W. Ross	S. J. Wagner
W. E. Mull	Carl Scheben	Joseph L. Wall
Rodes K. Myers	Ray O. Shehan	Henry Ward
J. C. Nickell	Dr. B. F. Shields	L. R. Wells
Russell O'Neill	P. L. Sidebottom	W. G. Williams
Mel Petry	Bruce Sloan	Charles Wylie
A. W. Pfeiffer	H. C. Steely	
Hobart Rayburn	Henry Stewart	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 255. An Act establishing as a part of the primary system of roads and highways of the Commonwealth of Kentucky a road beginning at a point in the Dixie highway near Elizabethtown in Hardin County and leading to a point in the Cecilia-Garfield highway at or near Custer in Breckinridge county.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established and created as a part

of the primary system of roads and highways of the Commonwealth of Kentucky a road beginning in the Dixie highway at a point near Elizabethtown in Hardin County and extending over and near the old Elizabethtown and Hardinsburg road by way of St. John, Bethlehem Academy and Grand View Church to a point in the Cecilia and Garfield highway at or near Custer in Breckinridge County to be known as Project .....

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Sam Dever	Ira W. Hulette
W. T. Baker	Stanley S. Dickson	John M. Hunnicut
G. M. Ballard	George W. Dunlap	Ben W. Johnson
Reuben J. Boling	Howard G. Early	J. H. Jones
Douglas Bolling	Walter R. Fannin	O. C. Jones
Ollie J. Bowen	T. P. Fitzpatrick	J. F. Ladd
Wallace Brown	H. Myer Garner	Leslie Larrimore
Dr. R. A. Byers	James Garnett, Jr.	T. B. McConnell
Jas. C. Carter	G. W. Garrett	J. L. McDermott
V. O. Chandler	Ferd A. Gnau	Lloyd MacDonald
Floyd Clark	Eugene Gough	W. F. McGary
Roscoe Claxon	Ben Grogan	Elmer McGlothen
George S. Clay	C. L. Hammons	C. S. Matherly
J. A. Coleman	W. L. Hampton, Jr.	G. S. Milam
Roy Conway	Thomas W. Hines	W. H. Miller
Herbert Cook	Price Holbrook	John B. Mollett
Harry Davis	Clyde S. Howard	W. E. Mull

Rodes K. Myers	A. W. Ross	J. J. Thomas
J. C. Nickell	Carl Scheben	R. Van Bever, Jr.
Russell O'Neill	Ray O. Shehan	S. J. Wagner
Mel Petry	Dr. B. F. Shields	Joseph L. Wall
A. W. Pfeiffer	P. L. Sidebottom	Henry Ward
Hobart Rayburn	Bruce Sloan	L. R. Wells
L. K. Rice	H. C. Steely	W. G. Williams
Joe E. Robinson	Henry Stewart	Charles Wylie
John C. Robinson	Dr. H. S. Swope	
W. T. Rollo	W. R. Tapp	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 257. An Act relating to roads and highways and describing and fixing a project to be added to the State primary system of roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of roads and highways in this Commonwealth as defined in Chapter 17 of the Acts of the General Assembly of 1920, as amended by the Acts of 1924 and 1926, the following project, to wit:

From Twila, Kentucky, on Wallins Creek, Harlan County, by way of Trace Gap and head of Catrons Creek to the main Black Mountain, and down south side of Black Mountain, crossing Martins Fork, to Macklin Gap on the Virginia line, to join a road to be built from Rose Hill, Virginia, to the Macklin Gap.

§ 2. The route as thus established shall be designated as Project No. ....., and shall be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relation to the primary system of state highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Harry Davis	W. L. Hampton, Jr.
G. M. Ballard	Sam Dever	Thomas W. Hines
Reuben J. Boling	Stanley S. Dickson	Price Holbrook
Douglas Bolling	George W. Dunlap	Clyde S. Howard
Ollie J. Bowen	Howard G. Early	Ira W. Hulette
Wallace Brown	Garland Embry	John M. Hunnicut
Dr. R. A. Byers	Walter R. Fannin	Ben W. Johnson
Jas. C. Carter	T. P. Fitzpatrick	J. H. Jones
V. O. Chandler	H. Myer Garner	O. C. Jones
Floyd Clark	James Garnett, Jr.	J. F. Ladd
Roscoe Claxon	G. W. Garrett	Leslie Larrimore
George S. Clay	Ferd A. Gnau	T. B. McConnell
J. A. Coleman	Eugene Gough	J. L. McDermott
Roy Conway	Ben Grogan	Lloyd MacDonald
Herbert Cook	C. L. Hammons	W. F. McGary

Elmer McGlothen	L. K. Rice	Dr. H. S. Swope
C. S. Matherly	Joe E. Robinson	W. R. Tapp
G. S. Milam	John C. Robinson	J. J. Thomas
W. H. Miller	W. T. Rollo	R. Van Bever, Jr.
John B. Mollett	A. W. Ross	S. J. Wagner
W. E. Mull	Carl Scheben	Joseph L. Wall
Rodes K. Myers	Ray O. Shehan	Henry Ward
J. C. Nickell	Dr. B. F. Shields	L. R. Wells
Russell O'Neill	P. L. Sidebottom	W. G. Williams
Mel Petry	Bruce Sloan	Charles Wylie
A. W. Pfeiffer	H. C. Steely	
Hobart Rayburn	Henry Stewart	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 258. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning one-fourth mile East of the city limits of Campbellsville in Taylor County on Highway No. 70, and continuing out what was known as the old Robinson Creek Turnpike by way of the farm of Vester Rucker, Wood Cave, Wade Johns and Bud Johns, in a Southernly direction to its end, then continuing South on what was called the old Green River Turnpike, by way of the Redman farm to the Adair County line, a distance of about seven miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning one-fourth mile East of the city limits of Campbellsville in Taylor County on Highway No. 70, and continuing out what was known as the old Robinson Creek Turnpike by way of the farm of Vester Rucker, Wood Cave, Wade Johns and Bud Johns, in a Southernly direction to its end, then continuing South on what was called the old Green River Turnpike, by way of the Redman farm to the Adair county line, a distance of about seven miles.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Wallace Brown	Roscoe Claxon
G. M. Ballard	Dr. R. A. Byers	George S. Clay
Reuben J. Boling	Jas. C. Carter	J. A. Coleman
Douglas Bolling	V. O. Chandler	Roy Conway
Ollie J. Bowen	Floyd Clark	Herbert Cook

Harry Davis	J. H. Jones	John C. Robinson
Sam Dever	O. C. Jones	W. T. Rollo
Stanley S. Dickson	J. F. Ladd	A. W. Ross
George W. Dunlap	Leslie Larrimore	Carl Scheben
Howard G. Early	T. B. McConnell	Ray O. Shehan
Garland Embry	J. L. McDermott	Dr. B. F. Shields
Walter R. Fannin	Lloyd MacDonald	P. L. Sidebottom
T. P. Fitzpatrick	W. F. McGary	Bruce Sloan
H. Myer Garner	Elmer McGlothen	H. C. Steely
James Garnett, Jr.	C. S. Matherly	Henry Stewart
G. W. Garrett	G. S. Milam	Dr. H. S. Swope
Ferd A. Gnau	W. H. Miller	W. R. Tapp
Eugene Gough	John B. Mollett	J. J. Thomas
Ben Grogan	W. E. Mull	R. Van Bever, Jr.
C. L. Hammons	Rodes K. Myers	S. J. Wagner
W. L. Hampton, Jr.	J. C. Nickell	Joseph L. Wall
Thomas W. Hines	Russell O'Neill	Henry Ward
Price Holbrook	Mel Petry	L. R. Wells
Clyde S. Howard	A. W. Pfeiffer	W. G. Williams
Ira W. Hulette	Hobart Rayburn	Charles Wylie
John M. Hunnicut	L. K. Rice	
Ben W. Johnson	Joe E. Robinson	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 259. An Act establishing as part of the primary system of State highways a road beginning at the mouth of

Caney on Quicksand in Breathitt County, thence up the main stream of Springs Fork and Haws Fork by Lambrick, and Betsman, thence connecting with Highway No. 40 about 12 miles south of Salyersville in Magoffin County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky a road beginning at the mouth of Caney on Quicksand in Breathitt County, thence up the main stream of Springs Fork and Haws Fork by Lambrick, and Betsman, thence connecting with Highway No. 40 about 12 miles south of Salyersville in Magoffin County.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker G. M. Ballard Reuben J. Boling

Douglas Bolling	C. L. Hammons	A. W. Pfeiffer
Ollie J. Bowen	W. L. Hampton, Jr.	Hobart Rayburn
Wallace Brown	Thomas W. Hines	L. K. Rice
Dr. R. A. Byers	Price Holbrook	Joe E. Robinson
Jas. C. Carter	Clyde S. Howard	John C. Robinson
V. O. Chandler	Ira W. Hulette	W. T. Rollo
Floyd Clark	John M. Hunnicut	A. W. Ross
Roscoe Claxon	Ben W. Johnson	Carl Scheben
George S. Clay	J. H. Jones	Ray O. Shehan
J. A. Coleman	O. C. Jones	Dr. B. F. Shields
Roy Conway	J. F. Ladd	P. L. Sidebottom
Herbert Cook	Leslie Larrimore	Bruce Sloan
Harry Davis	T. B. McConnell	H. C. Steely
Sam Dever	J. L. McDermott	Henry Stewart
Stanley S. Dickson	Lloyd MacDonald	Dr. H. S. Swope
George W. Dunlap	W. F. McGary	W. R. Tapp
Howard G. Early	Elmer McGlothen	J. J. Thomas
Garland Embry	C. S. Matherly	R. Van Bever, Jr.
Walter R. Fannin	G. S. Milam	S. J. Wagner
T. P. Fitzpatrick	W. H. Miller	Joseph L. Wall
H. Myer Garner	John B. Mollett	Henry Ward
James Garnett, Jr.	W. E. Mull	L. R. Wells
G. W. Garrett	Rodes K. Myers	W. G. Williams
Ferd A. Gnau	J. C. Nickell	Charles Wylie
Eugene Gough	Russell O'Neill	
Ben Grogan	Mel Petry	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 260. An Act establishing as part of the primary system of State highways a road beginning at the river bridge at the mouth of Quicksand in Breathitt County on Highway No. 15, thence up South Fork via of Portsmouth, Wilstacy, Press, Decoy, and up Laurel Fork, thence to Highway No. 80, near Hindman in Knott County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road beginning at the river bridge at the mouth of Quicksand in Breathitt County on Highway No. 15, thence up South Fork via of Portsmouth, Wilstacy, Press, Decoy, and up Laurel Fork, thence to Highway No. 80, near Hindman in Knott County.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
G. M. Ballard
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 261. An Act establishing as a part of the primary system of State highways a road leading from the Highway No. 71 at Barkley's Place via Sugar Grove and Sharer to Richlieu, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a road leading from the Highway No. 71 at Barkley's Place via Sugar Grove and Sharer, to Richlieu, Kentucky, be and the same is hereby established and designated as a part of the primary system of State highways of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Reuben J. Boling	Ollie J. Bowen
G. M. Ballard	Douglas Bolling	Wallace Brown

Dr. R. A. Byers	Thomas W. Hines	Hobart Rayburn
Jas. C. Carter	Price Holbrook	L. K. Rice
V. O. Chandler	Clyde S. Howard	Joe E. Robinson
Floyd Clark	Ira W. Hulette	John C. Robinson
Roscoe Claxon	John M. Hunnicut	W. T. Rollo
George S. Clay	Ben W. Johnson	A. W. Ross
J. A. Coleman	J. H. Jones	Carl Scheben
Roy Conway	O. C. Jones	Ray O. Shehan
Herbert Cook	J. F. Ladd	Dr. B. F. Shields
Harry Davis	Leslie Larrimore	P. L. Sidebottom
Sam Dever	T. B. McConnell	Bruce Sloan
Stanley S. Dickson	J. L. McDermott	H. C. Steely
George W. Dunlap	Lloyd MacDonald	Henry Stewart
Howard G. Early	W. F. McGary	Dr. H. S. Swope
Garland Embry	Elmer McGlothen	W. R. Tapp
Walter R. Fannin	C. S. Matherly	J. J. Thomas
T. P. Fitzpatrick	G. S. Milam	R. Van Bever, Jr.
H. Myer Garner	W. H. Miller	S. J. Wagner
James Garnett, Jr.	John B. Mollett	Joseph L. Wall
G. W. Garrett	W. E. Mull	Henry Ward
Ferd A. Gnau	Rodes K. Myers	L. R. Wells
Eugene Gough	J. C. Nickell	W. G. Williams
Ben Grogan	Russell O'Neill	Charles Wylie
C. L. Hammons	Mel Petry	
W. L. Hampton, Jr.	A. W. Pfeiffer	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 264. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Cartwright, Kentucky, to Marlow's Mill via Tom Woody's, in Clinton County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road leading from Cartwright, Kentucky, to Marlow's Mill via Tom Woody's, in Clinton County.

This road thus establsihed to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	V. O. Chandler	Sam Dever
W. T. Baker	Floyd Clark	Stanley S. Dickson
B. F. Bedford	Roscoe Claxon	George W. Dunlap
Reuben J. Boling	George S. Clay	Howard G. Early
Douglas Bolling	J. A. Coleman	Garland Embry
Ollie J. Bowen	Roy Conway	Walter R. Fannin
Wallace Brown	Herbert Cook	T. P. Fitzpatrick
Jas. C. Carter	Harry Davis	H. Myer Garner

James Garnett, Jr.	Lloyd MacDonald	Carl Scheben
G. W. Garrett	W. F. McGary	Ray O. Shehan
Ferd. A. Gnau	Elmer McGlothen	Dr. B. F. Shields
Eugene Gough	C. S. Matherly	P. L. Sidebottom
Ben Grogan	G. S. Milam	Bruce Sloan
C. L. Hammons	W. H. Miller	H. C. Steely
W. L. Hampton, Jr.	John B. Mollett	Henry Stewart
Thomas W. Hines	W. E. Mull	Dr. H. S. Swope
Price Holbrook	Rodes K. Myers	W. R. Tapp
Clyde S. Howard	J. C. Nickell	J. J. Thomas
Ira W. Hulette	Russell O'Neill	R. Van Bever, Jr.
John M. Hunnicut	Mel Petry	S. J. Wagner
Ben W. Johnson	A. W. Pfeiffer	Joseph L. Wall
J. H. Jones	Hobart Rayburn	Henry Ward
O. C. Jones	L. K. Rice	L. R. Wells
J. F. Ladd	Joe E. Robinson	W. G. Williams
Leslie Larrimore	John C. Robinson	Charles Wylie
T. B. McConnell	W. T. Rollo	
J. L. McDermott	A. W. Ross	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 265. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road from Shipley's Store to Highway No. 90, near Noah Cros's farm via Bud Albeston's, S. P. Booker's,

J. E. Picken's farm and Fine Springs School, in Clifton County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road from Shipley's Store to Highway No. 90, near Noah Cros's farm via Bud Albeston's, S. P. Booker's, J. E. Picken's farm and Fine Springs School, in Clinton County, Kentucky.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	V. O. Chandler	Sam Dever
W. T. Baker	Floyd Clark	Stanley S. Dickson
B. F. Bedford	Roscoe Claxon	George W. Dunlap
Reuben J. Boling	George S. Clay	Howard G. Early
Douglas Bolling	J. A. Coleman	Garland Embry
Ollie J. Bowen	Roy Conway	Walter R. Fannin
Wallace Brown	Herbert Cook	T. P. Fitzpatrick
Jas. C. Carter	Harry Davis	H. Myer Garner

James Garnett, Jr.	Lloyd MacDonald	Carl Scheben
G. W. Garrett	W. F. McGary	Ray O. Shehan
Ferd A. Gnau	Elmer McGlothen	Dr. B. F. Shields
Eugene Gough	C. S. Matherly	P. L. Sidebottom
Ben Grogan	G. S. Milam	Bruce Sloan
C. L. Hammons	W. H. Miller	H. C. Steely
W L. Hampton, Jr.	John B. Mollett	Henry Stewart
Thomas W. Hines	W. E. Mull	Dr. H. S. Swope
Price Holbrook	Rodes K. Myers	W. R. Tapp
Clyde S. Howard	J. C. Nickell	J. J. Thomas
Ira W. Hulette	Russell O'Neill	R. Van Bever, Jr.
John M. Hunnicut	Mel Petry	S. J. Wagner
Ben W. Johnson	A. W. Pfeiffer	Joseph L. Wall
J. H. Jones	Hobart Rayburn	Henry Ward
O. C. Jones	L. K. Rice	L. R. Wells
J. F. Ladd	Joe E. Robinson	W. G. Williams
Leslie Larrimore	John C. Robinson	Charles Wylie
T. B. McConnell	W. T. Rollo	
J. L. McDermott	A. W. Ross	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 266. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Highway No. 35, at K. E. Huddleston's, to 76 Falls via Snow, Kentucky, in Clinton, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road beginning at Highway No. 35 at K. E. Huddleston's, to 76 Falls via Snow, Kentucky, in Clinton, Kentucky.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	J. A. Coleman	James Garnett, Jr.
W. T. Baker	Roy Conway	G. W. Garrett
B. F. Bedford	Herbert Cook	Ferd A. Gnau
Reuben J. Boling	Harry Davis	Eugene Gough
Douglas Bolling	Sam Dever	Ben Grogan
Ollie J. Bowen	Stanley S. Dickson	C. L. Hammons
Wallace Brown	George W. Dunlap	W. L. Hampton, Jr.
Jas. C. Carter	Howard G. Early	Thomas W. Hines
V. O. Chandler	Garland Embry	Price Holbrook
Floyd Clark	Walter R. Fannin	Clyde S. Howard
Roscoe Claxon	T. P. Fitzpatrick	Ira W. Hulette
George S. Clay	H. Myer Garner	John M. Hunnicut

Ben W. Johnson	Rodes K. Myers	Bruce Sloan
J. H. Jones	J. C. Nickell	H. C. Steely
O. C. Jones	Russell O'Neill	Henry Stewart
J. F. Ladd	Mel Petry	Dr. H. S. Swope
Leslie Larrimore	A. W. Pfeiffer	W. R. Tapp
T. B. McConnell	Hobart Rayburn	J. J. Thomas
J. L. McDermott	L. K. Rice	R. Van Bever, Jr.
Lloyd MacDonald	Joe E. Robinson	S. J. Wagner
W. F. McGary	John C. Robinson	Joseph L. Wall
Elmer McGlothen	W. T. Rollo	Henry Ward
C. S. Matherly	A. W. Ross	L. R. Wells
G. S. Milam	Carl Scheben	W. G. Williams
W. H. Miller	Ray O. Shehan	Charles Wylie
John B. Mollett	Dr. B. F. Shields	
W. E. Mull	P. L. Sidebottom	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 267. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at 76 Falls to Highway No. 90 via 76, Kentucky, and Ida, Kentucky, in Clinton County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the

primary system of state highways of the Commonwealth of Kentucky a road begining at 76 Falls to Highway No. 90, via 76, Kentucky, and Ida, Kentucky, in Clinton County.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	George W. Dunlap	Ben W. Johnson
W. T. Baker	Howard G. Early	J. H. Jones
B. F. Bedford	Garland Embry	O. C. Jones
Reuben J. Boling	Walter R. Fannin	J. F. Ladd
Douglas Bolling	T. P. Fitzpatrick	Leslie Larrimore
Ollie J. Bowen	H. Myer Garner	T. B. McConnell
Wallace Brown	James Garnett, Jr.	J. L. McDermott
Jas. C. Carter	G. W. Garrett	Lloyd MacDonald
V. O. Chandler	Ferd A. Gnau	W. F. McGary
Floyd Clark	Eugene Gough	C. S. Matherly
Roscoe Claxon	Ben Grogan	G. S. Milam
George S. Clay	C. L. Hammons	W. H. Miller
J. A. Coleman	W. L. Hampton, Jr.	John B. Mollett
Roy Conway	Thomas W. Hines	W. E. Mull
Herbert Cook	Price Holbrook	Rodes K. Myers
Harry Davis	Clyde S. Howard	J. C. Nickell
Sam Dever	Ira W. Hulette	Russell O'Neill
Stanley S. Dickson	John M. Hunnicut	Mel Petry

A. W. Pfeiffer	Ray O. Shehan	R. Van Bever, Jr.
Hobart Rayburn	Dr. B. F. Shields	S. J. Wagner
L. K. Rice	P. L. Sidebottom	Joseph L. Wall
Joe E. Robinson	Bruce Sloan	Henry Ward
John C. Robinson	H. C. Steely	L. R. Wells
W. T. Rollo	Henry Stewart	W. G. Williams
A. W. Ross	Dr. H. S. Swope	Charles Wylie
Carl Scheben	W. R. Tapp	
Carl Schneider	J. J. Thomas	

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 268. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road from Highway No. 35 at Maupin's Farm, to the Tennessee Line via Huntersville, Kentucky, in Clinton County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road from Highway No. 35, at Maupin's Farm to

the Tennessee Line via Huntersville, Kentucky, in Clinton County, Kentucky.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Howard G. Early	O. C. Jones
W. T. Baker	Garland Embry	J. F. Ladd
B. F. Bedford	Walter R. Fannin	Leslie Larrimore
Reuben J. Boling	T. P. Fitzpatrick	T. B. McConnell
Douglas Bolling	H. Myer Garner	J. L. McDermott
Ollie J. Bowen	James Garnett, Jr.	Lloyd MacDonald
Wallace Brown	G. W. Garrett	W. F. McGary
Jas. C. Carter	Ferd A. Gnau	Elmer McGlothen
V. O. Chandler	Eugene Gough	C. S. Matherly
Floyd Clark	Ben Grogan	G. S. Milam
Roscoe Claxon	C. L. Hammons	W. H. Miller
George S. Clay	W. L. Hampton, Jr.	John B. Mollett
J. A. Coleman	Thomas W. Hines	W. E. Mull
Roy Conway	Price Holbrook	Rodes K. Myers
Herbert Cook	Clyde S. Howard	J. C. Nickell
Harry Davis	Ira W. Hulette	Russell O'Neill
Sam Dever	John M. Hunnicut	Mel Petry
Stanley S. Dickson	Ben W. Johnson	A. W. Pfeiffer
George W. Dunlap	J. H. Jones	Hobart Rayburn

L. K. Rice	P. L. Sidebottom	S. J. Wagner
Joe E. Robinson	Bruce Sloan	Joseph L. Wall
John C. Robinson	H. C. Steely	Henry Ward
W. T. Rollo	Henry Stewart	L. R. Wells
A. W. Ross	Dr. H. S. Swope	W. G. Williams
Carl Scheben	W. R. Tapp	Charles Wylie
Ray O. Shehan	J. J. Thomas	
Dr. B. F. Shields	R. Van Bever, Jr.	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 269. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road from Shipley, Kentucky, to Hobart, Kentucky, in Clinton County, to Siminary School via Chestnut Grove in Cumberland County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road from Shipley, Kentucky to Hobart, Kentucky in Clinton County to Siminary School via Chestnut Grove in Cumberland County, Kentucky.

§ 2. This road thus established to be entitled to receive

all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	H. Myer Garner	C. S. Matherly
W. T. Baker	James Garnett, Jr.	G. S. Milam
B. F. Bedford	G. W. Garrett	W. H. Miller
Reuben J. Boling	Ferd A. Gnau	John B. Mollett
Douglas Bolling	Eugene Gough	W. E. Mull
Ollie J. Bowen	Ben Grogan	Rodes K. Myers
Wallace Brown	C. L. Hammons	J. C. Nickell
Jas. C. Carter	W. L. Hampton, Jr.	Russell O'Neill
V. O. Chandler	Thomas W. Hines	Mel Petry
Floyd Clark	Price Holbrook	A. W. Pfeiffer
Roscoe Claxon	Clyde S. Howard	Hobart Rayburn
George S. Clay	Ira W. Hulette	L. K. Rice
J. A. Coleman	John M. Hunnicut	Joe E. Robinson
Roy Conway	Ben W. Johnson	John C. Robinson
Herbert Cook	J. H. Jones	W. T. Rollo
Harry Davis	O. C. Jones	A. W. Ross
Sam Dever	J. F. Ladd	Carl Scheben
Stanley S. Dickson	Leslie Larrimore	Ray O. Shehan
George W. Dunlap	T. B. McConnell	Dr. B. F. Shields
Howard G. Early	J. L. McDermott	P. L. Sidebottom
Garland Embry	Lloyd MacDonald	Bruce Sloan
Walter R. Fannin	W. F. McGary	H. C. Steely
T. P. Fitzpatrick	Elmer McGlothen	Henry Stewart

Dr. H. S. Swope	S. J. Wagner	W. G. Williams
W. R. Tapp	Joseph L. Wall	Charles Wylie
J. J. Thomas	Henry Ward	
R. Van Bever, Jr.	L. R. Wells	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 270. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Cartwright, Kentucky, to Snow, Kentucky, via Upchurch, Kentucky, in Clinton County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Comonwealth of Kentucky a road leading from Cartwright, Kentucky, to Snow, Kentucky, via Upchurch, Kentucky, in Clinton County.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 271. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road leading from Highway No. 90 at Jim Parrigin's to Tennessee line near Chanute, Tenn., via Central Union School, Bertram Store and Beaty Settlement, in Clinton County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road leading from Highway No. 90 at Jim Parrigins to Tennessee line, near Chanute, Tenn., via Central Union School, Bertram Store and Beaty Settlement in Clinton County, Kentucky.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
G. M. Ballard
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 272. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road from Albany, Kentucky, to Tennessee line, near Miller's Mill via Peolia's Meeting House, Drop, Kentucky, and Speck school house in Clinton County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road from Albany, Kentucky, to Tennessee Line, near Miller's Mill via Peolia's Meeting House, Drop, Kentucky, and Speck school house in Clinton County, Kentucky.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
G. M. Ballard	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Dr. R. A. Byers	Ira W. Hulette	A. W. Ross
Jas. C. Carter	John M. Hunnicut	Carl Scheben
V. O. Chandler	Ben W. Johnson	Ray O. Shehan
Floyd Clark	J. H. Jones	Dr. B. F. Shields
Roscoe Claxon	O. C. Jones	P. L. Sidebottom
George S. Clay	J. F. Ladd	Bruce Sloan
J. A. Coleman	Leslie Larrimore	H. C. Steely
Roy Conway	T. B. McConnell	Henry Stewart
Herbert Cook	J. L. McDermott	Dr. H. S. Swope
Harry Davis	Lloyd MacDonald	W. R. Tapp
Sam Dever	W. F. McGary	J. J. Thomas
Stanley S. Dickson	Elmer McGlothen	R. Van Bever, Jr.
George W. Dunlap	C. S. Matherly	S. J. Wagner
Howard G. Early	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 277. An Act to add to the primary system of public roads a road beginning at the southeast corner of the Murray State Teachers College property line where it intersects the Murray-Mayfield road, extending north a distance of about one mile to a road known as the Five Points Outland Brothers Factory Road which extends from Five Points to the State Highway at Outland Brothers Factory.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways a road beginning at the southeast corner of the Murray State Teachers College property line where it intersects the Murray-Mayfield road, extending north a distance of about one mile to a road known as the Five Points Outland Brothers Factory Road which extends from Five Points to the State Highway at Outland Brothers Factory.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways, the same as though said road had been named in said original Act as one of the projects of said primary system of highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
G. M. Ballard
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 278. An Act establishing as part of the primary system of the state highways, a road commencing at the Flemingsburg–Mt. Carmel State Highway No. ....., near Dalesburg, Fleming County, Kentucky, running thence in a northwestwardly direction to a point near the Turner school house where the Noisy Hill dirt road intersects it; thence in a northeastwardly direction to Poplar Grove, Fleming County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky, a road commencing at the Flemingsburg-Mt. Carmel State Highway No. ....., near Dalesburg, Fleming County, Kentucky, running thence in a northwestwardly direction to a point near the Turner school house where the Noisy Hill Dirt Road intersects it; thence in a northeastwardly direction to Poplar Grove, Fleming County, Kentucky. The distance is approximately 4 (four) miles, more or less.

That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto, establishing and creating the primary system of state highways, to the same effect as if said road had been named in the original act as one of the projects of the primary system of state highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Sam Dever	Ira W. Hulette
W. T. Baker	Stanley S. Dickson	John M. Hunnicut
G. M. Ballard	George W. Dunlap	Ben W. Johnson
Reuben J. Boling	Howard G. Early	J. H. Jones
Douglas Bolling	Walter R. Fannin	O. C. Jones
Ollie J. Bowen	T. P. Fitzpatrick	J. F. Ladd
Wallace Brown	H. Myer Garner	Leslie Larrimore
Dr. R. A. Byers	James Garnett, Jr.	T. B. McConnell
Jas. C. Carter	G. W. Garrett	J. L. McDermott
V. O. Chandler	Ferd A. Gnau	Lloyd MacDonald
Floyd Clark	Eugene Gough	W. F. McGary
Roscoe Claxon	Ben Grogan	Elmer McGlothen
George S. Clay	C. L. Hammons	C. S. Matherly
J. A. Coleman	W. L. Hampton, Jr.	G. S. Milam
Roy Conway	Thomas W. Hines	W. H. Miller
Herbert Cook	Price Holbrook	John B. Mollett
Harry Davis	Clyde S. Howard	W. E. Mull

Rodes K. Myers	A. W. Ross	J. J. Thomas
J. C. Nickell	Carl Scheben	R. Van Bever, Jr.
Russell O'Neill	Ray O. Shehan	S. J. Wagner
Mel Petry	Dr. B. F. Shields	Joseph L. Wall
A. W. Pfeiffer	P. L. Sidebottom	Henry Ward
Hobart Rayburn	Bruce Sloan	L. R. Wells
L. K. Rice	H. C. Steely	W. G. Williams
Joe E. Robinson	Henry Stewart	Charles Wylie
John C. Robinson	Dr. H. S. Swope	
W. T. Rollo	W. R. Tapp	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 280. An Act establishing as a part of the primary road system of the Commonwealth of Kentucky, a road in Ohio County, beginning at the residence of Scott Whitaker on Highway No. 71 about four (4) miles to where it intersects with the Hartford and Livermore road No. 66-B, near the residence of Ira Ellis.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways in the Commonwealth of Kentucky to wit:

Beginning near the residence of Scott Whitaker on State Highway No. 71 to intersect with the Hartford and Livermore road No. 66-B, near the residence of Ira Ellis.

§ 2. The said project is hereby declared to be subject to all the terms and conditions of Chapter 17 of the Acts of 1920 establishing and creating a primary system of State highways, of which system said project shall be and become a part.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Stanley S. Dickson	Ira W. Hulette
W. T. Baker	George W. Dunlap	John M. Hunnicut
B. F. Bedford	Howard G. Early	Ben W. Johnson
Reuben J. Boling	Garland Embry	J. H. Jones
Douglas Bolling	Walter R. Fannin	O. C. Jones
Ollie J. Bowen	T. P. Fitzpatrick	J. F. Ladd
Wallace Brown	H. Myer Garner	Leslie Larrimore
Jas. C. Carter	James Garnett, Jr.	T. B. McConnell
V. O. Chandler	G. W. Garrett	J. L. McDermott
Floyd Clark	Ferd A. Gnau	Lloyd MacDonald
Roscoe Claxon	Eugene Gough	W. F. McGary
George S. Clay	Ben Grogan	Elmer McGlothen
J. A. Coleman	C. L. Hammons	C. S. Matherly
Roy Conway	W. L. Hampton, Jr.	G. S. Milam
Herbert Cook	Thomas W. Hines	W. H. Miller
Harry Davis	Price Holbrook	John B. Mollett
Sam Dever	Clyde S. Howard	W. E. Mull

Rodes K. Myers	A. W. Ross	J. J. Thomas
J. C. Nickell	Carl Scheben	R. Van Bever, Jr.
Russell O'Neill	Ray O. Shehan	S. J. Wagner
Mel Petry	Dr. B. F. Shields	Joseph L. Wall
A. W. Pfeiffer	P. L. Sidebottom	Henry Ward
Hobart Rayburn	Bruce Sloan	L. R. Wells
L. K. Rice	H. C. Steely	W. G. Williams
Joe E. Robinson	Henry Stewart	Charles Wylie
John C. Robinson	Dr. H. S. Swope	
W. T. Rollo	W. R. Tapp	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 284. An Act establishing a road of the primary system of State Highways, a road beginning at the intersection of the Woodburn and Massey's Mill road at Matlock via Jack Louis's farm to Robertson's ford on Drake Creek.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning at the intersection of the Woodburn and Massey's Mill road at Matlock via Jack Louis's farm to Robertson's ford on Drake Creek.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said road had been named in the original Act of State highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	George W. Dunlap	Ben W. Johnson
W. T. Baker	Howard G. Early	J. H. Jones
B. F. Bedford	Garland Embry	O. C. Jones
Reuben J. Boling	Walter R. Fannin	J. F. Ladd
Douglas Bolling	T. P. Fitzpatrick	Leslie Larrimore
Ollie J. Bowen	H. Myer Garner	T. B. McConnell
Wallace Brown	James Garnett, Jr.	J. L. McDermott
Jas. C. Carter	G. W. Garrett	Lloyd MacDonald
V. O. Chandler	Ferd A. Gnau	W. F. McGary
Floyd Clark	Eugene Gough	Elmer McGlothen
Roscoe Claxon	Ben Grogan	C. S. Matherly
George S. Clay	C. L. Hammons	G. S. Milam
J. A. Coleman	W. L. Hampton, Jr.	W. H. Miller
Roy Conway	Thomas W. Hines	John B. Mollett
Herbert Cook	Price Holbrook	W. E. Mull
Harry Davis	Clyde S. Howard	Rodes K. Myers
Sam Dever	Ira W. Hulette	J. C. Nickell
Stanley S. Dickson	John M. Hunnicut	Russell O'Neill

Mel Petry	Ray O. Shehan	R. Van Bever, Jr.
A. W. Pfeiffer	Dr. B. F. Shields	S. J. Wagner
Hobart Rayburn	P. L. Sidebottom	Joseph L. Wall
L. K. Rice	Bruce Sloan	Henry Ward
Joe E. Robinson	H. C. Steely	L. R. Wells
John C. Robinson	Henry Stewart	W. G. Williams
W. T. Rollo	Dr. H. S. Swope	Charles Wylie
A. W. Ross	W. R. Tapp	
Carl Scheben	J. J. Thomas	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 285. An Act establishing a road of the primary system of State Highways, a road beginning at Woodburn, Warren County, running via Matlock to Massey's Mill Bridge.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning at Woodburn, Warren County, running via of Matlock to Massey's Mill Bridge.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by provisions of Chapter 17 of the Acts of the General Assembly

of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Garland Embry	Leslie Larrimore
W. T. Baker	Walter R. Fannin	T. B. McConnell
B. F. Bedford	T. P. Fitzpatrick	J. L. McDermott
Reuben J. Boling	H. Myer Garner	Lloyd MacDonald
Douglas Bolling	James Garnett, Jr.	W. F. McGary
Ollie J. Bowen	G. W. Garrett	Elmer McGlothen
Wallace Brown	Ferd A. Gnau	C. S. Matherly
Jas. C. Carter	Eugene Gough	G. S. Milam
V. O. Chandler	Ben Grogan	W. H. Miller
Floyd Clark	C. L. Hammons	John B. Mollett
Roscoe Claxon	W. L. Hampton, Jr.	W. E. Mull
George S. Clay	Thomas W. Hines	Rodes K. Myers
J. A. Coleman	Price Holbrook	J. C. Nickell
Roy Conway	Clyde S. Howard	Russell O'Neill
Herbert Cook	Ira W. Hulette	Mel Petry
Harry Davis	John M. Hunnicut	A. W. Pfeiffer
Sam Dever	Ben W. Johnson	Hobart Rayburn
Stanley S. Dickson	J. H. Jones	L. K. Rice
George W. Dunlap	O. C. Jones	Joe E. Robinson
Howard G. Early	J. F. Ladd	John C. Robinson

W. T. Rollo	H. C. Steely	Joseph L. Wall
A. W. Ross	Henry Stewart	Henry Ward
Carl Scheben	Dr. H. S. Swope	L. R. Wells
Ray O. Shehan	W. R. Tapp	W. G. Williams
Dr. B. F. Shields	J. J. Thomas	Charles Wylie
P. L. Sidebottom	R. Van Bever, Jr.	
Bruce Sloan	S. J. Wagner	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 287. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at Lebanon in Marion County, and running Northwest over the St. Rose Pike to the Washington County line.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at Lebanon in Marion County, and running Northwest over the St. Rose Pike to the Washington County line.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky

shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	H. Myer Garner	C. S. Matherly
W. T. Baker	James Garnett, Jr.	G. S. Milam
B. F. Bedford	G. W. Garrett	W. H. Miller
Reuben J. Boling	Ferd A. Gnau	John B. Mollett
Douglas Bolling	Eugene Gough	W. E. Mull
Ollie J. Bowen	Ben Grogan	Rodes K. Myers
Wallace Brown	C. L. Hammons	J. C. Nickell
Jas. C. Carter	W. L. Hampton, Jr.	Russell O'Neill
V. O. Chandler	Thomas W. Hines	Mel Petry
Floyd Clark	Price Holbrook	A. W. Pfeiffer
Roscoe Claxon	Clyde S. Howard	Hobart Rayburn
George S. Clay	Ira W. Hulette	L. K. Rice
J. A. Coleman	John M. Hunnicut	Joe E. Robinson
Roy Conway	Ben W. Johnson	John C. Robinson
Herbert Cook	J. H. Jones	W. T. Rollo
Harry Davis	O. C. Jones	A. W. Ross
Sam Dever	J. F. Ladd	Carl Scheben
Stanley S. Dickson	Leslie Larrimore	Ray O. Shehan
George W. Dunlap	T. B. McConnell	Dr. B. F. Shields
Howard G. Early	J. L. McDermott	P. L. Sidebottom
Garland Embry	Lloyd MacDonald	Bruce Sloan
Walter R. Fannin	W. F. McGary	H. C. Steely
T. P. Fitzpatrick	Elmer McGlothen	Henry Stewart

Dr. H. S. Swope	S. J. Wagner	W. G. Williams	
W. R. Tapp	Joseph L. Wall	Charles Wylie	
J. J. Thomas	Henry Ward		
R. Van Bever, Jr.	L. R. Wells		—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 288. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Chicago in Marion County, and running in a Southwest direction to the Town of Raywick in Marion County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Chicago in Marion County, and running in a Southwest direction to the Town of Raywick in Marion County.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and con-

ditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	James Garnett, Jr.	W. H. Miller
W. T. Baker	G. W. Garrett	John B. Mollett
B. F. Bedford	Ferd A. Gnau	W. E. Mull
Reuben J. Boling	Eugene Gough	Rodes K. Myers
Douglas Bolling	Ben Grogan	J. C. Nickell
Ollie J. Bowen	C. L. Hammons	Russell O'Neill
Wallace Brown	W. L. Hampton, Jr.	Mel Petry
Jas. C. Carter	Thomas W. Hines	A. W. Pfeiffer
V. O. Chandler	Price Holbrook	Hobart Rayburn
Floyd Clark	Clyde S. Howard	L. K. Rice
Roscoe Claxon	Ira W. Hulette	Joe E. Robinson
George S. Clay	John M. Hunnicut	John C. Robinson
J. A. Coleman	Ben W. Johnson	W. T. Rollo
Roy Conway	J. H. Jones	A. W. Ross
Herbert Cook	O. C. Jones	Carl Scheben
Harry Davis	J. F. Ladd	Ray O. Shehan
Sam Dever	Leslie Larrimore	Dr. B. F. Shields
Stanley S. Dickson	T. B. McConnell	P. L. Sidebottom
George W. Dunlap	J. L. McDermott	Bruce Sloan
Howard G. Early	Lloyd MacDonald	H. C. Steely
Garland Embry	W. F. McGary	Henry Stewart
Walter R. Fannin	Elmer McGlothen	Dr. H. S. Swope
T. P. Fitzpatrick	C. S. Matherly	W. R. Tapp
H. Myer Garner	G. S. Milam	J. J. Thomas

R. Van Bever, Jr. Henry Ward Charles Wylie
S. J. Wagner L. R. Wells
Joseph L. Wall W. G. Williams —79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 289. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Calvary in Marion County, and running in a Southwest direction over the Phillipsburg Road to the Taylor County line.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Calvary in Marion County, and running in a Southwest direction over the Phillipsburg Road to the Taylor County line.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 291. An Act adding to the State Primary System of Highways a project connecting Federal Project No. 62 and State Project No. 50 at Earlington, Hopkins County, Kentucky, and connecting State Project No. 317-417, Madisonville-Princeton public road near Richland.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road project beginning at the intersection of Federal Project No. 62 and State Project No. 50, at Earlington, Hopkins County, Kentucky, with Sebree street in Earlington, and running thence in a Northerly direction via Loch Mary and Clarence Mitchell and Frank Sisk farms, and intersecting State Project No. 317-417 at or near Richland, Hopkins County, Kentucky, and running along the county road as near as practical a distance of about four (4) miles.

The road project established in this Act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 292. An Act adding to the State Primary System of Highways a project connecting the Madisonville-Brazzel Bridge road and the Slaughters-Jewell City road, in Hopkins County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road project beginning at the John Dame farm on the Madisonville-Brazzel Bridge road, and extending in a Northeasterly direction over and across the farm of Westerfield to the old Island Ford road, and following the old Island Ford road via Wheaton Ashby's farm, and intersecting the Hanson-Jewell City road near the John Brown farm; running thence with the Hanson Jewell City road to Groupengeiser's store; running thence in a northwesterly direction following the old road as near as practical via Old Salem, and intersecting the Slaughters-Jewell City road near the Bain King farm a distance of about five (5) miles.

The road project established in this act shall have all

the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	James Garnett, Jr.	W. H. Miller
W. T. Baker	G. W. Garrett	John B. Mollett
B. F. Bedford	Ferd A. Gnau	W. E. Mull
Reuben J. Boling	Eugene Gough	Rodes K. Myers
Douglas Bolling	Ben Grogan	J. C. Nickell
Ollie J. Bowen	C. L. Hammons	Russell O'Neill
Wallace Brown	W. L. Hampton, Jr.	Mel Petry
Jas. C. Carter	Thomas W. Hines	A. W. Pfeiffer
V. O. Chandler	Price Holbrook	Hobart Rayburn
Floyd Clark	Clyde S. Howard	L. K. Rice
Roscoe Claxon	Ira W. Hulette	Joe E. Robinson
George S. Clay	John M. Hunnicut	John C. Robinson
J. A. Coleman	Ben W. Johnson	W. T. Rollo
Roy Conway	J. H. Jones	A. W. Ross
Herbert Cook	O. C. Jones	Carl Scheben
Harry Davis	J. F. Ladd	Ray O. Shehan
Sam Dever	Leslie Larrimore	Dr. B. F. Shields
Stanley S. Dickson	T. B. McConnell	P. L. Sidebottom
George W. Dunlap	J. L. McDermott	Bruce Sloan
Howard G. Early	Lloyd MacDonald	H. C. Steely
Garland Embry	W. F. McGary	Henry Stewart
Walter R. Fannin	Elmer McGlothen	Dr. H. S. Swope
T. P. Fitzpatrick	C. S. Matherly	W. R. Tapp
H. Myer Garner	G. S. Milam	J. J. Thomas

R. Van Bever, Jr.	Henry Ward	Charles Wylie	
S. J. Wagner	L. R. Wells		
Joseph L. Wall	W. G. Williams		—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 293. An Act adding to the State Primary System of Highways a project connecting Mannington, Christian County, Kentucky, with U. S. No. 62, near St. Charles, Hopkins County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road project beginning at a point on Highway No. 41 at Mannington, Christian County, near the Hopkins and Christian county line, extending northwesterly direction, passing through the Pea Ridge community, and intersecting Route No. 62 near St. Charles, a distance of about seven (7) miles.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 295. An Act adding to the State Primary System of Highways a project connecting U. S. No. 41E, just North of Madisonville, Hopkins County, Kentucky, beginning at the Laffoon underpass, with what is known as Catesville, Webster County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road project beginning at a point north of Madisonville, Hopkins County, Kentucky, on U. S. Highway No. 41E, near the Laffoon Underpass, and running with the old Jackson road via D. B. Gooch farm, and following the said Jackson road as near as practical to a point on the Dixon-Slaughters road, known as Catesville, Webster County, Kentucky, a distance of about fifteen (15) miles.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 296. An Act establishing as a part of the primary road system a road extending from the intersection of same with the Parnell road at Alfred Abbott's shop, by way of Norman's Ferry road, Fall Creek road to Rankin Postoffice, Oatts Bottom road to Cumberland School House, and Robertsport road to the intersection of same with Highway No. 90 at Steubenville, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County, Kentucky, extending from the intersection of same with the Parnell road at Alfred Abbott's shop to the intersection of same with the Norman's Ferry road at the old W. R. Oatts residence; thence, following the Norman's Ferry road to the intersection of same with the Fall Creek road; thence, following the Fall Creek road to the intersection of same with the Oatts Bottom road at Rankin Post Office; thence, following the Oatts Bottom road by way of Cumberland School House to the intersection of same with the Robertsport road; thence, to the intersection of same with Highway No. 90, at Steubenville.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd'	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 297. An Act establishing as a part of the primary road system a road extending from the intersection of same with Highway No. 90 at Kelley's lane to the intersection of same with Sinking road near the residence of L. N. Morrow in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County, Kentucky, extending from the intersection of same with Highway No. 90 at Kelley's Lane, three and one-half (3½) miles north of Monticello, following the general course of the present road crossing the ridge at Brammer's store and continuing to the intersection of same with the Sinking road at or near the residence of L. N. Morrow.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 298. An Act establishing as a part of the primary road system a road extending from the intersection of same with the Parmleysville–Mount Pisgah road at the Mount Pisgah Schoolhouse by way of the Langham Schoolhouse to the Tennessee State line, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County, Kentucky, extending from the intersection of same with the Parmleysville–Mount Pisgah road at the Mount Pisgah Schoolhouse, following the Langham road by the Langham Schoolhouse to the Tennessee line.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Wallace Brown	J. A. Coleman
W. T. Baker	Jas. C. Carter	Roy Conway
B. F. Bedford	V. O. Chandler	Herbert Cook
Reuben J. Boling	Floyd Clark	Harry Davis
Douglas Bolling	Roscoe Claxon	Sam Dever
Ollie J. Bowen	George S. Clay	Stanley S. Dickson

George W. Dunlap	J. F. Ladd	W. T. Rollo
Howard G. Early	Leslie Larrimore	A. W. Ross
Garland Embry	T. B. McConnell	Carl Scheben
Walter R. Fannin	J. L. McDermott	Ray O. Shehan
T. P. Fitzpatrick	Lloyd MacDonald	Dr. B. F. Shields
H. Myer Garner	W. F. McGary	P. L. Sidebottom
James Garnett, Jr.	Elmer McGlothen	Bruce Sloan
G. W. Garrett	C. S. Matherly	H. C. Steely
Ferd A. Gnau	G. S. Milam	Henry Stewart
Eugene Gough	W. H. Miller	Dr. H. S. Swope
Ben Grogan	John B. Mollett	W. R. Tapp
C. L. Hammons	W. E. Mull	J. J. Thomas
W. L. Hampton, Jr.	Rodes K. Myers	R. Van Bever, Jr.
Thomas W. Hines	J. C. Nickell	S. J. Wagner
Price Holbrook	Russell O'Neill	Joseph L. Wall
Clyde S. Howard	Mel Petry	Henry Ward
Ira W. Hulette	A. W. Pfeiffer	L. R. Wells
John M. Hunnicut	Hobart Rayburn	W. G. Williams
Ben W. Johnson	L. K. Rice	Charles Wylie
J. H. Jones	Joe E. Robinson	
O. C. Jones	John C. Robinson	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 309. An Act relating to the primary system of public roads in the state.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Beginning at the end of West Leper Street in Dixon, Kentucky, and extending to Price's Store, on to the Free Union Church, by Budd Asher's farm, Gilbert Clark's farm, to Henry Watson's farm; and to connect with the road extending north from Clay at Bob Knoll's farm, a distance of about five (5) miles; all of which is in Webster County.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Harry Davis	W. L. Hampton, Jr.
W. T. Baker	Sam Dever	Thomas W. Hines
B. F. Bedford	Stanley S. Dickson	Price Holbrook
Reuben J. Boling	George W. Dunlap	Clyde S. Howard
Douglas Bolling	Howard G. Early	Ira W. Hulette
Ollie J. Bowen	Garland Embry	John M. Hunnicut
Wallace Brown	Walter R. Fannin	Ben W. Johnson
Jas. C. Carter	T. P. Fitzpatrick	J. H. Jones
V. O. Chandler	H. Myer Garner	O. C. Jones
Floyd Clark	James Garnett, Jr.	J. F. Ladd
Roscoe Claxon	G. W. Garrett	Leslie Larrimore
George S. Clay	Ferd A. Gnau	T. B. McConnell
J. A. Coleman	Eugene Gough	J. L. McDermott
Roy Conway	Ben Grogan	Lloyd MacDonald
Herbert Cook	C. L. Hammons	W. F. McGary

Elmer McGlothen	L. K. Rice	Dr. H. S. Swope
C. S. Matherly	Joe E. Robinson	W. R. Tapp
G. S. Milam	John C. Robinson	J. J. Thomas
W. H. Miller	W. T. Rollo	R. Van Bever, Jr.
John B. Mollett	A. W. Ross	S. J. Wagner
W. E. Mull	Carl Scheben	Joseph L. Wall
Rodes K. Myers	Ray O. Shehan	Henry Ward
J. C. Nickell	Dr. B. F. Shields	L. R. Wells
Russell O'Neill	P. L. Sidebottom	W. G. Williams
Mel Petry	Bruce Sloan	Charles Wylie
A. W. Pfeiffer	H. C. Steely	
Hobart Rayburn	Henry Stewart	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 310. An Act relating to the primary system of public roads in the state.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

A road leading west out of Slaughters, and will intersect at Vandersburg with the Vandersburg, Liberty and Providence road. Said road will pass through or near the property of the following land owners:

Mr. Richard Dickerson, Mr. L. P. Hopgood, Mr. Guy Pritchet, Mr. B. Sizemore, Mr. W. C. Hopgood, Mr. J. L. Hopgood, Mr. D. W. Brown, Mr. Martin Brown, Mr. Will Higdon, Mr. T. H. Brown, Mr. M. H. King, Mr. Ben Polley, Mr. Babe Cates, Mr. Bob Cates, Mr. E. S. Brown, Mr. George E. Springfield, Rev. W. P. Winstead, Mr. J. P. Day, Mr. Gilbert Laughary, Mr. Robert Winstead, Mr. Charlie Mitchell, Mr. Herman Tompkins, The Hopgood Heirs.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Harry Davis	W. L. Hampton, Jr.
W. T. Baker	Sam Dever	Thomas W. Hines
B. F. Bedford	Stanley S. Dickson	Price Holbrook
Reuben J. Boling	George W. Dunlap	Clyde S. Howard
Douglas Bolling	Howard G. Early	Ira W. Hulette
Ollie J. Bowen	Garland Embry	John M. Hunnicut
Wallace Brown	Walter R. Fannin	Ben W. Johnson
Jas. C. Carter	T. P. Fitzpatrick	J. H. Jones
V. O. Chandler	H. Myer Garner	O. C. Jones
Floyd Clark	James Garnett, Jr.	J. F. Ladd
Roscoe Claxon	G. W. Garrett	Leslie Larrimore
George S. Clay	Ferd A. Gnau	M. T. McCarthy
J. A. Coleman	Eugene Gough	T. B. McConnell
Roy Conway	Ben Grogan	J. L. McDermott
Herbert Cook	C. L. Hammons	Lloyd MacDonald

W. F. McGary	L. K. Rice	Dr. H. S. Swope
C. S. Matherly	Joe E. Robinson	W. R. Tapp
G. S. Milam	John C. Robinson	J. J. Thomas
W. H. Miller	W. T. Rollo	R. Van Bever, Jr.
John B. Mollett	A. W. Ross	S. J. Wagner
W. E. Mull	Carl Scheben	Joseph L. Wall
Rodes K. Myers	Ray O. Shehan	Henry Ward
J. C. Nickell	Dr. B. F. Shields	L. R. Wells
Russell O'Neill	P. L. Sidebottom	W. G. Williams
Mel Petry	Bruce Sloan	Charles Wylie
A. W. Pfeiffer	H. C. Steely	
Hobart Rayburn	Henry Stewart	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 311. An Act relating to the primary system of public roads in the state.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

A road extending from Dixon by way of the Webster County Poor Farm, through Vandersburg by Brown's Store, by Burnt Mills to Slaughters, a distance of about fourteen miles; all of which is in Webster County.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	James Garnett, Jr.	W. H. Miller
W. T. Baker	G. W. Garrett	John B. Mollett
B. F. Bedford	Ferd A. Gnau	W. E. Mull
Reuben J. Boling	Eugene Gough	Rodes K. Myers
Douglas Bolling	Ben Grogan	J. C. Nickell
Ollie J. Bowen	C. L. Hammons	Russell O'Neill
Wallace Brown	W. L. Hampton, Jr.	Mel Petry
Jas. C. Carter	Thomas W. Hines	A. W. Pfeiffer
V. O. Chandler	Price Holbrook	Hobart Rayburn
Floyd Clark	Clyde S. Howard	L. K. Rice
Roscoe Claxon	Ira W. Hulette	Joe E. Robinson
George S. Clay	John M. Hunnicut	John C. Robinson
J. A. Coleman	Ben W. Johnson	W. T. Rollo
Roy Conway	J. H. Jones	A. W. Ross
Herbert Cook	O. C. Jones	Carl Scheben
Harry Davis	J. F. Ladd	Ray O. Shehan
Sam Dever	Leslie Larrimore	Dr. B. F. Shields
Stanley S. Dickson	M. T. McCarthy	P. L. Sidebottom
George W. Dunlap	T. B. McConnell	Bruce Sloan
Howard G. Early	J. L. McDermott	H. C. Steely
Garland Embry	Lloyd MacDonald	Henry Stewart
Walter R. Fannin	W. F. McGary	Dr. H. S. Swope
T. P. Fitzpatrick	C. S. Matherly	W. R. Tapp
H. Myer Garner	G. S. Milam	J. J. Thomas

R. Van Bever, Jr.	Henry Ward	Charles Wylie	
S. J. Wagner	L. R. Wells		
Joseph L. Wall	W. G. Williams		—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 312. An Act establishing as part of the primary system of state highways of the Commonwealth of Kentucky a road in Metcalfe County, and Cumberland County, Kentucky, beginning at a point one mile south of Edmonton in the Edmonton–Tompkinsville Road, and running thence via Grace Union, Subtle, Sulphur Springs and down Renox Creek in Cumberland County, and connecting with the Burkesville–Columbia Road at Thomas' Store.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is established as part of the primary system of state highways of the Commonwealth of Kentucky, a road in Metcalfe and Cumberland Counties, Kentucky, beginning at a point in the Tompkinsville–Edmonton road, one mile south of Edmonton, and running thence via Grace Union, Subtle, Sulphur Springs and down Renox Creek in Cumber-

land County, and connecting with the Burkesville-Columbia road at Thomas' Store.

The construction, maintenance. supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	George W. Dunlap	Ben W. Johnson
W. T. Baker	Howard G. Early	J. H. Jones
B. F. Bedford	Garland Embry	O. C. Jones
Reuben J. Boling	Walter R. Fannin	J. F. Ladd
Douglas Bolling	T. P. Fitzpatrick	Leslie Larrimore
Ollie J. Bowen	H. Myer Garner	T. B. McConnell
Wallace Brown	James Garnett, Jr.	J. L. McDermott
Jas. C. Carter	G. W. Garrett	Lloyd MacDonald
V. O. Chandler	Ferd A. Gnau	W. F. McGary
Floyd Clark	Eugene Gough	C. S. Matherly
Roscoe Claxon	Ben Grogan	G. S. Milam
George S. Clay	C. L. Hammons	W. H. Miller
J. A. Coleman	W. L. Hampton, Jr.	John B. Mollett
Roy Conway	Thomas W. Hines	W. E. Mull
Herbert Cook	Price Holbrook	Rodes K. Myers
Harry Davis	Clyde S. Howard	J. C. Nickell
Sam Dever	Ira W. Hulette	Russell O'Neill
Stanley S. Dickson	John M. Hunnicut	Mel Petry

A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers

—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 318. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Quisenberry Crossing in Caldwell County, and running in a Northern direction with Millwood Cemetery, Harmony Church, Pollards Cemetery, the W. L. Pollard farm, Friendship School, Crossroad Church and Cemetery, Piney Grove School to Dawson Springs in Hopkins County, a distance of approximately eighteen miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a

part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Quisenberry Crossing in Caldwell County, and running in a Northern direction with Millwood Cemetery, Harmony Church, Pollards Cemetery, the W. L. Pollard farm, Friendship School, Crossroad Church and Cemetery, Piney Grove School to Dawson Springs in Hopkins County, a distance of approximately eighteen miles.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Roy Conway	Ferd A. Gnau
W. T. Baker	Herbert Cook	Eugene Gough
B. F. Bedford	Harry Davis	Ben Grogan
Reuben J. Boling	Sam Dever	C. L. Hammons
Douglas Bolling	Stanley S. Dickson	W. L. Hampton, Jr.
Ollie J. Bowen	George W. Dunlap	Thomas W. Hines
Wallace Brown	Howard G. Early	Price Holbrook
Jas. C. Carter	Garland Embry	Clyde S. Howard
V. O. Chandler	Walter R. Fannin	Ira W. Hulette
Floyd Clark	T. P. Fitzpatrick	John M. Hunnicut
Roscoe Claxon	H. Myer Garner	Ben W. Johnson
George S. Clay	James Garnett, Jr.	J. H. Jones
J. A. Coleman	G. W. Garrett	O. C. Jones

J. F. Ladd	Mel Petry	H. C. Steely
Leslie Larrimore	A. W. Pfeiffer	Henry Stewart
T. B. McConnell	Hobart Rayburn	Dr. H. S. Swope
J. L. McDermott	L. K. Rice	W. R. Tapp
Lloyd MacDonald	Joe E. Robinson	J. J. Thomas
W. F. McGary	John C. Robinson	R. Van Bever, Jr.
C. S. Matherly	W. T. Rollo	S. J. Wagner
G. S. Milam	A. W. Ross	Joseph L. Wall
W. H. Miller	Carl Scheben	Henry Ward
John B. Mollett	Carl Schneider	L. R. Wells
W. E. Mull	Ray O. Shehan	W. G. Williams
Rodes K. Myers	Dr. B. F. Shields	Charles Wylie
J. C. Nickell	P. L. Sidebottom	
Russell O'Neill	Bruce Sloan	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 322. An Act creating and establishing as a part of the state primary system of roads and highways, a road project beginning at Webster in Breckinridge County and extending via Raymond to a point intersecting Highway Project No. 504, near Frymire.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary roads and highways of Kentucky, a road beginning at Webster in Breckinridge County to Raymond and leading by the nearest and best route to a point intersecting State Highway Project No. 504, near Frymire.

§ 2. That the construction, maintenance, supervision and control of said roads shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereon, establishing and creating the primary system of state highways, to the same effect as if said road had been named in the original act as one of the projects of the primary system of state highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	J. A. Coleman	James Garnett, Jr.
W. T. Baker	Roy Conway	G. W. Garrett
B. F. Bedford	Herbert Cook	Ferd A. Gnau
Reuben J. Boling	Harry Davis	Eugene Gough
Douglas Bolling	Sam Dever	Ben Grogan
Ollie J. Bowen	Stanley S. Dickson	C. L. Hammons
Wallace Brown	George W. Dunlap	W. L. Hampton, Jr.
Jas. C. Carter	Howard G. Early	Thomas W. Hines
V. O. Chandler	Garland Embry	Price Holbrook
Floyd Clark	Walter R. Fannin	Clyde S. Howard
Roscoe Claxon	T. P. Fitzpatrick	Ira W. Hulette
George S. Clay	H. Myer Garner	John M. Hunnicut

Ben W. Johnson	Rodes K. Myers	Bruce Sloan
J. H. Jones	J. C. Nickell	H. C. Steely
O. C. Jones	Russell O'Neill	Henry Stewart
J. F. Ladd	Mel Petry	Dr. H. S. Swope
Leslie Larrimore	A. W. Pfeiffer	W. R. Tapp
T. B. McConnell	Hobart Rayburn	J. J. Thomas
J. L. McDermott	L. K. Rice	R. Van Bever, Jr.
Lloyd MacDonald	Joe E. Robinson	S. J. Wagner
W. F. McGary	John C. Robinson	Joseph L. Wall
Elmer McGlothen	W. T. Rollo	Henry Ward
C. S. Matherly	A. W. Ross	L. R. Wells
G. S. Milam	Carl Scheben	W. G. Williams
W. H. Miller	Ray O. Shehan	Charles Wylie
John B. Mollett	Dr. B. F. Shields	
W. E. Mull	P. L. Sidebottom	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 323. An Act creating and establishing as a part of the state primary system of roads and highways a road project beginning at a point one-half mile south of Kirk, on the Hardinsburg-Hartford road, and leading to Glendean.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a

part of the primary roads and highways of Kentucky a road beginning at a point on Hardinsburg-Hartford road, one-half mile south of Kirk, in Breckinridge County, and leading via of Planters' Hall to Glendean, Kentucky, a distance of about six and one-half miles.

§ 2. That the construction, maintenance, supervision and control of said roads shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereon, establishing and creating the primary system of state highways, to the same effect as if said road had been named in the original act as one of the projects of the primary system of state highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	J. A. Coleman	James Garnett, Jr.
W. T. Baker	Roy Conway	G. W. Garrett
B. F. Bedford	Herbert Cook	Ferd A. Gnau
Reuben J. Boling	Harry Davis	Eugene Gough
Douglas Bolling	Sam Dever	Ben Grogan
Ollie J. Bowen	Stanley S. Dickson	C. L. Hammons
Wallace Brown	George W. Dunlap	W. L. Hampton, Jr.
Jas. C. Carter	Howard G. Early	Thomas W. Hines
V. O. Chandler	Garland Embry	Price Holbrook
Floyd Clark	Walter R. Fannin	Clyde S. Howard
Roscoe Claxon	T. P. Fitzpatrick	Ira W. Hulette
George S. Clay	H. Myer Garner	John M. Hunnicut

Ben W. Johnson	Rodes K. Myers	Bruce Sloan
J. H. Jones	J. C. Nickell	H. C. Steely
O. C. Jones	Russell O'Neill	Henry Stewart
J. F. Ladd	Mel Petry	Dr. H. S. Swope
Leslie Larrimore	A. W. Pfeiffer	W. R. Tapp
T. B. McConnell	Hobart Rayburn	J. J. Thomas
J. L. McDermott	L. K. Rice	R. Van Bever, Jr.
Lloyd MacDonald	Joe E. Robinson	S. J. Wagner
W. F. McGary	John C. Robinson	Joseph L. Wall
Elmer McGlothen	W. T. Rollo	Henry Ward
C. S. Matherly	A. W. Ross	L. R. Wells
G. S. Milam	Carl Scheben	W. G. Williams
W. H. Miller	Ray O. Shehan	Charles Wylie
John B. Mollett	Dr. B. F. Shields	
W. E. Mull	P. L. Sidebottom	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 324. An Act to add to the primary system of state highways two roads, first beginning at the northeast corner of the city limits of the City of Murray, Kentucky, on the west side of the Nashville, Chattanooga and St. Louis Railroad property line at or near the Murray Milk Products Company; thence, west via Outland Brothers Tobacco Factory to Five Points, intersecting the Murray-Coldwater-Mayfield Road No. 2, beginning at the southwest corner of the City of

Murray at W. L. Witnell's home place, extending north through Twelfth Street to Wash Wall's farm. This road traverses the entire distance of west boundary of the City of Murray, Calloway County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established a part of the primary system of state highways two roads, first, beginning at the northeast corner of the city limits of the City of Murray, Kentucky, on the west side of the Nashville, Chattanooga and St. Louis Railroad property line at or near the Murray Milk Products Company; thence, west via Outland Brothers Tobacco Factory to Five Points intersecting the Murray-Coldwater-Mayfield Road No. 2, beginning at the southwest corner of the City of Murray at W. L. Whitnell's home place, extending north through Twelfth Street to Wash Wall's farm. This road traverses the entire distance of west boundary of the City of Murray, Calloway County, Kentucky.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways, the same as though said road had been named in said original Act as one of the projects of said primary system of highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 326. An Act relating to roads and highways, and establishing a project to be added to the primary system of state roads and highways running from St. Helens by way of Monica, Bear Creek, Chapman Fork of Bear Creek, Hoy's Gap, Rock Lick Creek, War Creek Gap, and thence across the North Fork at Miller's Gap, and thence to Route No. 15 near Frozen Creek.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road beginning at St. Helens on State Route No. 52, and running thence by way of Monica, Bear Creek, Chapman Fork of Bear Creek, Hoy's Gap, Rock Lick Creek, War Creek Gap, and thence across the North Fork at Miller's Gap, and thence to State Route No. 15, near Frozen Creek, be and the same is hereby designated and established as part of the primary system of the state highways of the Commonwealth of Kentucky; to be known as State Primary Road Project No. .....

§ 2. The said road to have and to secure all the benefits of the State Primary Road system under Chapter 17 of the Acts of 1920, and all amendments thereto.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley
Chester D. Silvers

—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 327. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway 60 near Rosebud Church in Crittenden County, and running due South by way of Crowell and Tosh Cemetery and near Kilpatrick Cemetery through the Drennon and Hill community, and terminating at the Shady Grove Highway near J. T. Stewart's

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway 60 near Rosebud Church in Crittenden County, and running due South by way of Crowell and Tosh Cemetery and near Kilpatrick Cemetery through the Drennon and Hill community, and terminating at the Shady Grove Highway near J. T. Stewart's.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereatfer be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 328. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on the highway from Salem in Livingston County to Berry's Ferry at or near the farm of Tom Wallace, and extending to and joining the road now a part of the primary system from Tyner's Store to the farm of Henry Jones in Livingston County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on the highway from Salem in Livingston County to Berry's Ferry at on near the farm of Tom Wallace, and extending to and joining the road now a part of the primary system from Tyner's Store to the farm of Henry Jones in Livingston County.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers

—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 329. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway 60 near the town of Repton in Crittenden County, and running a due east course through said town and by way of Tosh Cemetery, Cave Spring Church and Prospect School and terminating at the Webster County line at the Fish Trap Bridge with the highway running from Dixon in Webster County to the Crittenden County line, a distance of approximately twelve miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway 60 near the town of Repton in Crittenden County, and running a due East course through said town and by way of Tosh Cemetery, Cave Spring Church and Prospect School and terminating at the Webster County line at the Fish Trap Bridge with the highway running from Dixon in Webster County to the Crittenden County line, a distance of approximately twelve miles.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 330. An Act to add to the primary system of public roads in Graves County and along the Graves-Hickman County line from Water Valley, thence in a northernly direction, to intersect with the highway No. 58, near Sugar Grove Church.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of the state highways of Kentucky a road beginning at Water Valley in Graves County, thence in a northernly direction to intersect with highway No. 58 at a point near Sugar Grove Church.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker W. T. Baker B. F. Bedford

Reuben J. Boling	C. L. Hammons	A. W. Pfeiffer
Douglas Bolling	W. L. Hampton, Jr.	Hobart Rayburn
Ollie J. Bowen	Thomas W. Hines	L. K. Rice
Wallace Brown	Price Holbrook	Joe E. Robinson
Jas. C. Carter	Clyde S. Howard	John C. Robinson
V. O. Chandler	Ira W. Hulette	W. T. Rollo
Floyd Clark	John M. Hunnicut	A. W. Ross
Roscoe Claxon	Ben W. Johnson	Carl Scheben
George S. Clay	J. H. Jones	Ray O. Shehan
J. A. Coleman	O. C. Jones	Dr. B. F. Shields
Roy Conway	J. F. Ladd	P. L. Sidebottom
Herbert Cook	Leslie Larrimore	Bruce Sloan
Harry Davis	T. B. McConnell	H. C. Steely
Sam Dever	J. L. McDermott	Henry Stewart
Stanley S. Dickson	Lloyd MacDonald	Dr. H. S. Swope
George W. Dunlap	W. F. McGary	W. R. Tapp
Howard G. Early	Elmer McGlothen	J. J. Thomas
Garland Embry	C. S. Matherly	R. Van Bever, Jr.
Walter R. Fannin	G. S. Milam	S. J. Wagner
T. P. Fitzpatrick	W. H. Miller	Joseph L. Wall
H. Myer Garner	John B. Mollett	Henry Ward
James Garnett, Jr.	W. E. Mull	L. R. Wells
G. W. Garrett	Rodes K. Myers	W. G. Williams
Ferd A. Gnau	J. C. Nickell	Charles Wylie
Eugene Gough	Russell O'Neill	
Ben Grogan	Mel Petry	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 332. An Act to add to the primary system of public roads, a road leading from Filicean, in Graves County, thence westerly following what is known as the "State Road" through Hickman County to the Junction of Highway Nos. 51 and 94 in Fulton County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of the state highways of Kentucky a road beginning at Filicean in Graves County; thence westerly following what is known as the "State Road" through Hickman County, to the Junction of Highways Nos. 51 and 94 in Fulton County.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	George S. Clay	T. P. Fitzpatrick
W. T. Baker	J. A. Coleman	H. Myer Garner
B. F. Bedford	Roy Conway	James Garnett, Jr.
Reuben J. Boling	Herbert Cook	G. W. Garrett
Douglas Bolling	Harry Davis	Ferd A. Gnau
Ollie J. Bowen	Sam Dever	Eugene Gough
Wallace Brown	Stanley S. Dickson	Ben Grogan
Jas. C. Carter	George W. Dunlap	C. L. Hammons
V. O. Chandler	Howard G. Early	W. L. Hampton, Jr.
Floyd Clark	Garland Embry	Thomas W. Hines
Roscoe Claxon	Walter R. Fannin	Price Holbrook

Clyde S. Howard	John B. Mollett	P. L. Sidebottom
Ira W. Hulette	W. E. Mull	Bruce Sloan
John M. Hunnicut	Rodes K. Myers	H. C. Steely
Ben W. Johnson	J. C. Nickell	Henry Stewart
J. H. Jones	Russell O'Neill	Dr. H. S. Swope
O. C. Jones	Mel Petry	W. R. Tapp
J. F. Ladd	A. W. Pfeiffer	J. J. Thomas
Leslie Larrimore	Hobart Rayburn	R. Van Bever, Jr.
T. B. McConnell	L. K. Rice	S. J. Wagner
J. L. McDermott	Joe E. Robinson	Joseph L. Wall
Lloyd MacDonald	John C. Robinson	Henry Ward
W. F. McGary	W. T. Rollo	L. R. Wells
Elmer McGlothen	A. W. Ross	W. G. Williams
C. S. Matherly	Carl Scheben	Charles Wylie
G. S. Milam	Ray O. Shehan	
W. H. Miller	Dr. B. F. Shields	

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 333. An Act to add to the primary road system a road in Lewis and Carter Counties.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby added to the primary road system a road more fully described as follows:

Beginning at a point at or near the Laurel Point High School in Lewis County, to connect with the Olive Hill, Vanceburg road and going up Laurel Creek to Fitch, Kentucky, thence down Flat Fork of Tygart Creek to connect with Highway No. 60 near the residence of Frank Garvin.

§ 2. That the construction, maintenance and supervision of the road be and the same is to be under the direction and control of the State Highway Commission and said road shall be entitled to all laws pertaining to the construction of highways in this Commonwealth.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Harry Davis	W. L. Hampton, Jr.
W. T. Baker	Sam Dever	Thomas W. Hines
B. F. Bedford	Stanley S. Dickson	Price Holbrook
Reuben J. Boling	George W. Dunlap	Clyde S. Howard
Douglas Bolling	Howard G. Early	Ira W. Hulette
Ollie J. Bowen	Garland Embry	John M. Hunnicut
Wallace Brown	Walter R. Fannin	Ben W. Johnson
Jas. C. Carter	T. P. Fitzpatrick	J. H. Jones
V. O. Chandler	H. Myer Garner	O. C. Jones
Floyd Clark	James Garnett, Jr.	J. F. Ladd
Roscoe Claxon	G. W. Garrett	Leslie Larrimore
George S. Clay	Ferd A. Gnau	T. B. McConnell
J. A. Coleman	Eugene Gough	J. L. McDermott
Roy Conway	Ben Grogan	Lloyd MacDonald
Herbert Cook	C. L. Hammons	W. F. McGary

Elmer McGlothen	L. K. Rice	Dr. H. S. Swope
C. S. Matherly	Joe E. Robinson	W. R. Tapp
G. S. Milam	John C. Robinson	J. J. Thomas
W. H. Miller	W. T. Rollo	R. Van Bever, Jr.
John B. Mollett	A. W. Ross	S. J. Wagner
W. E. Mull	Carl Scheben	Joseph L. Wall
Rodes K. Myers	Ray O. Shehan	Henry Ward
J. C. Nickell	Dr. B. F. Shields	L. R. Wells
Russell O'Neill	P. L. Sidebottom	W. G. Williams
Mel Petry	Bruce Sloan	Charles Wylie
A. W. Pfeiffer	H. C. Steely	
Hobart Rayburn	Henry Stewart	

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 340. An Act establishing as a part of the primary road system a road extending from the intersection of same with the Monticello–Whitley City road near Griffin, via Parmleysville, Mount Pisgah, New Hope Church and Sumpter, to the intersection of same with the Duncan Valley Road at Cooper, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the pri-

mary road system a road in Wayne County, Kentucky, extending from the intersection of same with the Griffin road near the residence of Dr. J. F. Hill, following the general course of the present road by way of Parmleysville, Mount Pisgah, New Hope Church, and Sumpter to the intersection of same with the Duncan Valley road at Cooper Post Office.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Howard G. Early	O. C. Jones
W. T. Baker	Garland Embry	J. F. Ladd
B. F. Bedford	Walter R. Fannin	Leslie Larrimore
Reuben J. Boling	T. P. Fitzpatrick	T. B. McConnell
Douglas Bolling	H. Myer Garner	J. L. McDermott
Ollie J. Bowen	James Garnett, Jr.	Lloyd MacDonald
Wallace Brown	G. W. Garrett	W. F. McGary
Jas. C. Carter	Ferd A. Gnau	Elmer McGlothen
V. O. Chandler	Eugene Gough	C. S. Matherly
Floyd Clark	Ben Grogan	G. S. Milam
Roscoe Claxon	C. L. Hammons	W. H. Miller
George S. Clay	W. L. Hampton, Jr.	John B. Mollett
J. A. Coleman	Thomas W. Hines	W. E. Mull
Roy Conway	Price Holbrook	Rodes K. Myers
Herbert Cook	Clyde S. Howard	J. C. Nickell
Harry Davis	Ira W. Hulette	Russell O'Neill
Sam Dever	John M. Hunnicut	Mel Petry
Stanley S. Dickson	Ben W. Johnson	A. W. Pfeiffer
George W. Dunlap	J. H. Jones	Hobart Rayburn

L. K. Rice	P. L. Sidebottom	S. J. Wagner
Joe E. Robinson	Bruce Sloan	Joseph L. Wall
John C. Robinson	H. C. Steely	Henry Ward
W. T. Rollo	Henry Stewart	L. R. Wells
A. W. Ross	Dr. H. S. Swope	W. G. Williams
Carl Scheben	W. R. Tapp	Charles Wylie
Ray O. Shehan	J. J. Thomas	
Dr. B. F. Shields	R. Van Bever, Jr.	

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 341. An Act establishing as a part of the primary road system a road extending from the intersection of same with Highway No. 90 at Susie by the way of Stop, Murl and Cabell, to Lula Post Office, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary road system a road in Wayne County, Kentucky, extending from the intersection of same with Highway No. 90, at Susie, following the present road by way of Stop, Murl, and Cabell, to Lula Post Office.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	G. W. Garrett	W. E. Mull
W. T. Baker	Ferd A. Gnau	Rodes K. Myers
B. F. Bedford	Eugene Gough	J. C. Nickell
Reuben J. Boling	Ben Grogan	Russell O'Neill
Douglas Bolling	C. L. Hammons	Mel Petry
Ollie J. Bowen	W. L. Hampton, Jr.	A. W. Pfeiffer
Wallace Brown	Thomas W. Hines	Hobart Rayburn
Jas. C. Carter	Price Holbrook	L. K. Rice
V. O. Chandler	Clyde S. Howard	Joe E. Robinson
Floyd Clark	Ira W. Hulette	John C. Robinson
Roscoe Claxon	John M. Hunnicut	W. T. Rollo
George S. Clay	Ben W. Johnson	A. W. Ross
J. A. Coleman	J. H. Jones	Carl Scheben
Roy Conway	O. C. Jones	Ray O. Shehan
Herbert Cook	J. F. Ladd	Dr. B. F. Shields
Harry Davis	Leslie Larrimore	P. L. Sidebottom
Sam Dever	T. B. McConnell	Bruce Sloan
Stanley S. Dickson	J. L. McDermott	H. C. Steely
George W. Dunlap	Lloyd MacDonald	Henry Stewart
Howard G. Early	W. F. McGary	Dr. H. S. Swope
Garland Embry	Elmer McGlothen	W. R. Tapp
Walter R. Fannin	C. S. Matherly	J. J. Thomas
T. P. Fitzpatrick	G. S. Milam	R. Van Bever, Jr.
H. Myer Garner	W. H. Miller	S. J. Wagner
James Garnett, Jr.	John B. Mollett	Joseph L. Wall

Henry Ward W. G. Williams Charles Wylie
L. R. Wells —79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 342. An Act establishing as a state primary road, a road leading from the Providence and Clay Road, State Primary Road Project No. 124, to the Clay and Fishtrap Road, State Primary Road Project No. 696, a distance of approximately three and one-half miles, in Webster County, Kentucky, and designating said road as State Primary Road Project No. .....

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That, for the purpose of connecting State Primary Road Project No. 124 with State Primary Project No. 696, there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road beginning about four miles North of Providence, in Webster County, Kentucky, on Providence and Clay Road; on State Primary Road Project No. 124 running thence by the way of White Oak Church to intersect the Clay and Fishtrap Road, State Primary Road Project No. 696 at or near Gold's Store

a distance of approximately three and one-half miles. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the primary system of state highways.

§ 2. Said road shall be designated and known as State Primary Road Project No. .....

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Stanley S. Dickson	Ira W. Hulette
W. T. Baker	George W. Dunlap	John M. Hunnicut
B. F. Bedford	Howard G. Early	Ben W. Johnson
Reuben J. Boling	Garland Embry	J. H. Jones
Douglas Bolling	Walter R. Fannin	O. C. Jones
Ollie J. Bowen	T. P. Fitzpatrick	J. F. Ladd
Wallace Brown	H. Myer Garner	Leslie Larrimore
Jas. C. Carter	James Garnett, Jr.	T. B. McConnell
V. O. Chandler	G. W. Garrett	J. L. McDermott
Floyd Clark	Ferd A. Gnau	Lloyd MacDonald
Roscoe Claxon	Eugene Gough	W. F. McGary
George S. Clay	Ben Grogan	Elmer McGlothen
J. A. Coleman	C. L. Hammons	C. S. Matherly
Roy Conway	W. L. Hampton, Jr.	G. S. Milam
Herbert Cook	Thomas W. Hines	W. H. Miller
Harry Davis	Price Holbrook	John B. Mollett
Sam Dever	Clyde S. Howard	W. E. Mull

Rodes K. Myers	A. W. Ross	J. J. Thomas
J. C. Nickell	Carl Scheben	R. Van Bever, Jr.
Russell O'Neill	Ray O. Shehan	S. J. Wagner
Mel Petry	Dr. B. F. Shields	Joseph L. Wall
A. W. Pfeiffer	P. L. Sidebottom	Henry Ward
Harry C. Records	Bruce Sloan	L. R. Wells
L. K. Rice	H. C. Steely	W. G. Williams
Joe E. Robinson	Henry Stewart	Charles Wylie
John C. Robinson	Dr. H. S. Swope	
W. T. Rollo	W. R. Tapp	

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 343. An Act to establish as part of the primary system of state highways, a road leading from a point on U. S. Highway No. 31W at the property of Rolly Shelton, about three miles North of Bowling Green, Kentucky, and diverging East from said point along what is now known as the Porter Pike to Three Forks in Warren County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the state highways of the Commonwealth

of Kentucky, a road leading from a point on U. S. Highway No. 31W, at what is known as Rolley Shelton's place, about three miles north of Bowling Green, and running East from said highway along what is now known as the Porter Pike to Three Forks in Warren County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all laws pertaining thereto, establishing and creating a primary system of state highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of state highways, as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	J. A. Coleman	James Garnett, Jr.
W. T. Baker	Roy Conway	G. W. Garrett
B. F. Bedford	Herbert Cook	Ferd A. Gnau
Reuben J. Boling	Harry Davis	Eugene Gough
Douglas Bolling	Sam Dever	Ben Grogan
Ollie J. Bowen	Stanley S. Dickson	C. L. Hammons
Wallace Brown	George W. Dunlap	W. L. Hampton, Jr.
Jas. C. Carter	Howard G. Early	Thomas W. Hines
V. O. Chandler	Garland Embry	Price Holbrook
Floyd Clark	Walter R. Fannin	Clyde S. Howard
Roscoe Claxon	T. P. Fitzpatrick	Ira W. Hulette
George S. Clay	H. Myer Garner	John M. Hunnicut

Ben W. Johnson	Rodes K. Myers	Bruce Sloan
J. H. Jones	J. C. Nickell	H. C. Steely
O. C. Jones	Russell O'Neill	Henry Stewart
J. F. Ladd	Mel Petry	Dr. H. S. Swope
Leslie Larrimore	A. W. Pfeiffer	W. R. Tapp
T. B. McConnell	Hobart Rayburn	J. J. Thomas
J. L. McDermott	L. K. Rice	R. Van Bever, Jr.
Lloyd MacDonald	Joe E. Robinson	S. J. Wagner
W. F. McGary	John C. Robinson	Joseph L. Wall
Elmer McGlothen	W. T. Rollo	Henry Ward
C. S. Matherly	A. W. Ross	L. R. Wells
G. S. Milam	Carl Scheben	W. G. Williams
W. H. Miller	Ray O. Shehan	Charles Wylie
John B. Mollett	Dr. B. F. Shields	
W. E. Mull	P. L. Sidebottom	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 352. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road from Liberty Church House on the Burkesville-Albany road to intersect with Burkesville-Celina road, via Jim Rush place, Al Bow place, S. C. Scott place and via Arms farm.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road from Liberty Church House on Burkesville-Albany Road to intersect with Burkesville-Celina Road, via Jim Rush place, Al Bow place, S. C. Scott place and via Arms Farm.

This road thus established to be entitled to receive all benefits of such laws as are or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Roy Conway	Ferd A. Gnau
W. T. Baker	Herbert Cook	Eugene Gough
B. F. Bedford	Harry Davis	Ben Grogan
Reuben J. Boling	Sam Dever	C. L. Hammons
Douglas Bolling	Stanley S. Dickson	W. L. Hampton, Jr.
Ollie J. Bowen	George W. Dunlap	Thomas W. Hines
Wallace Brown	Howard G. Early	Price Holbrook
Jas. C. Carter	Garland Embry	Clyde S. Howard
V. O. Chandler	Walter R. Fannin	Ira W. Hulette
Floyd Clark	T. P. Fitzpatrick	John M. Hunnicut
Roscoe Claxon	H. Myer Garner	Ben W. Johnson
George S. Clay	James Garnett, Jr.	J. H. Jones
J. A. Coleman	G. W. Garrett	O. C. Jones

J. F. Ladd	Russell O'Neill	H. C. Steely
Leslie Larrimore	Mel Petry	Henry Stewart
T. B. McConnell	A. W. Pfeiffer	Dr. H. S. Swope
J. L. McDermott	Hobart Rayburn	W. R. Tapp
Lloyd MacDonald	L. K. Rice	J. J. Thomas
W. F. McGary	Joe E. Robinson	R. Van Bever, Jr.
Elmer McGlothen	John C. Robinson	S. J. Wagner
C. S. Matherly	W. T. Rollo	Joseph L. Wall
G. S. Milam	A. W. Ross	Henry Ward
W. H. Miller	Carl Scheben	L. R. Wells
John B. Mollett	Ray O. Shehan	W. G. Williams
W. E. Mull	Dr. B. F. Shields	Charles Wylie
Rodes K. Myers	P. L. Sidebottom	
J. C. Nickell	Bruce Sloan	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 353. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road leading from Kettle, Kentucky, to the Tennessee Line at Rock Springs, Tennessee, via Littrell, Kentucky, and Spears Chapel.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the

primary system of the state highways of the Commonwealth of Kentucky, a road leading from Kettle, Kentucky, to the Tennessee line at Rock Springs, Tennessee, via Littrell, Kentucky and Spears Chapel.

This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Stanley S. Dickson	Ira W. Hulette
W. T. Baker	George W. Dunlap	John M. Hunnicut
B. F. Bedford	Howard G. Early	Ben W. Johnson
Reuben J. Boling	Garland Embry	J. H. Jones
Douglas Bolling	Walter R. Fannin	O. C. Jones
Ollie J. Bowen	T. P. Fitzpatrick	J. F. Ladd
Wallace Brown	H. Myer Garner	Leslie Larrimore
Jas. C. Carter	James Garnett, Jr.	T. B. McConnell
V. O. Chandler	G. W. Garrett	J. L. McDermott
Floyd Clark	Ferd A. Gnau	Lloyd MacDonald
Roscoe Claxon	Eugene Gough	W. F. McGary
George S. Clay	Ben Grogan	Elmer McGlothen
J. A. Coleman	C. L. Hammons	C. S. Matherly
Roy Conway	W. L. Hampton, Jr.	G. S. Milam
Herbert Cook	Thomas W. Hines	W. H. Miller
Harry Davis	Price Holbrook	John B. Mollett
Sam Dever	Clyde S. Howard	W. E. Mull

Rodes K. Myers	A. W. Ross	J. J. Thomas
J. C. Nickell	Carl Scheben	R. Van Bever, Jr.
Russell O'Neill	Ray O. Shehan	S. J. Wagner
Mel Petry	Dr. B. F. Shields	Joseph L. Wall
A. W. Pfeiffer	P. L. Sidebottom	Henry Ward
Hobart Rayburn	Bruce Sloan	L. R. Wells
L. K. Rice	H. C. Steely	W. G. Williams
Joe E. Robinson	Henry Stewart	Charles Wylie
John C. Robinson	Dr. H. S. Swope	
W. T. Rollo	W. R. Tapp	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 354. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road from C. B. Young's place to Bakerton Ferry; thence up Brush Creek via of Smith's Grove; thence from Smith's Grove by way of Whetstone, intersecting State Highway going from C. A. Page's Store to Winfrey's Ferry.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the State highways of the Commonwealth of Kentucky a road from C. B. Young's place to Bakerton

Ferry; thence up Brush Creek via of Smith's Grove; thence from Smith's Grove via of Whetstone, intersecting State highway from C. A. Page's Store to Winfrey's Ferry.

This road thus established to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Howard G. Early	O. C. Jones
W. T. Baker	Garland Embry	J. F. Ladd
B. F. Bedford	Walter R. Fannin	Leslie Larrimore
Reuben J. Boling	T. P. Fitzpatrick	T. B. McConnell
Douglas Bolling	H. Myer Garner	J. L. McDermott
Ollie J. Bowen	James Garnett, Jr.	Lloyd MacDonald
Wallace Brown	G. W. Garrett	W. F. McGary
Jas. C. Carter	Ferd A. Gnau	Elmer McGlothen
V. O. Chandler	Eugene Gough	C. S. Matherly
Floyd Clark	Ben Grogan	G. S. Milam
Roscoe Claxon	C. L. Hammons	W. H. Miller
George S. Clay	W. L. Hampton, Jr.	John B. Mollett
J. A. Coleman	Thomas W. Hines	W. E. Mull
Roy Conway	Price Holbrook	Rodes K. Myers
Herbert Cook	Clyde S. Howard	J. C. Nickell
Harry Davis	Ira W. Hulette	Russell O'Neil'
Sam Dever	John M. Hunnicut	Mel Petry
Stanley S. Dickson	Ben W. Johnson	A. W. Pfeiffer
George W. Dunlap	J. H. Jones	Hobart Rayburn

L. K. Rice	P. L. Sidebottom	S. J. Wagner	
Joe E. Robinson	Bruce Sloan	Joseph L. Wall	
John C. Robinson	H. C. Steely	Henry Ward	
W. T. Rollo	Henry Stewart	L. R. Wells	
A. W. Ross	Dr. H. S. Swope	W. G. Williams	
Carl Scheben	W. R. Tapp	Charles Wylie	
Ray O. Shehan	J. J. Thomas		
Dr. B. F. Shields	R. Van Bever, Jr.		—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 499. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road beginning at the Forks of Elkhorn in Franklin County on Highway 40 running through the town of Switzer to Stamping Ground in Scott County on Highway 227.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at the Forks of Elkhorn in Franklin County on Highway 40 running through the town of Switzer to Stamping Ground in Scott County on Highway 227.

§ 2. The construction, maintenance, supervision and

control of said road shall be subject to all the laws of the State of Kentucky appertaining to State Highways.

§ 3. The Highway Commission is hereby directed to assign to the above road an appropriate project number.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	T. P. Fitzpatrick	W. F. McGary
W. T. Baker	H. Myer Garner	Elmer McGlothen
B. F. Bedford	James Garnett, Jr.	C. S. Matherly
Reuben J. Boling	G. W. Garrett	G. S. Milam
Douglas Bolling	Ferd A. Gnau	W. H. Miller
Ollie J. Bowen	Eugene Gough	John B. Mollett
Wallace Brown	Ben Grogan	W. E. Mull
Jas. C. Carter	C. L. Hammons	Rodes K. Myers
V. O. Chandler	W. L. Hampton, Jr.	J. C. Nickell
Floyd Clark	Thomas W. Hines	Russell O'Neill
Roscoe Claxon	Price Holbrook	Mel Petry
George S. Clay	Clyde S. Howard	A. W. Pfeiffer
J. A. Coleman	Ira W. Hulette	Hobart Rayburn
Roy Conway	John M. Hunnicut	L. K. Rice
Herbert Cook	Ben W. Johnson	Joe E. Robinson
Harry Davis	J. H. Jones	John C. Robinson
Sam Dever	O. C. Jones	W. T. Rollo
Stanley S. Dickson	J. F. Ladd	A. W. Ross
George W. Dunlap	Leslie Larrimore	Carl Scheben
Howard G. Early	T. B. McConnell	Ray O. Shehan
Garland Embry	J. L. McDermott	Dr. B. F. Shields
Walter R. Fannin	Lloyd MacDonald	P. L. Sidebottom

Bruce Sloan	J. J. Thomas	L. R. Wells	
H. C. Steely	R. Van Bever, Jr.	W. G. Williams	
Henry Stewart	S. J. Wagner	Charles Wylie	
Dr. H. S. Swope	Joseph L. Wall		
W. R. Tapp	Henry Ward		—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 502. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at Shady Grove highway at the Griffith Place, and extending in a southern direction to Pleasant Hill Church in Crittenden County, a distance of approximately a mile and a quarter.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Shady Grove highway at the Griffith Place, and extending in a southern direction to Pleasant Hill Church in Crittenden County, a distance of approximately a mile and a quarter.

§ 2. That the road now established as a part of the pri-

mary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	T. P. Fitzpatrick	W. F. McGary
W. T. Baker	H. Myer Garner	Elmer McGlothen
B. F. Bedford	James Garnett, Jr.	C. S. Matherly
Reuben J. Boling	G. W. Garrett	G. S. Milam
Douglas Bolling	Ferd A. Gnau	W. H. Miller
Ollie J. Bowen	Eugene Gough	John B. Mollett
Wallace Brown	Ben Grogan	W. E. Mull
Jas. C. Carter	C. L. Hammons	Rodes K. Myers
V. O. Chandler	W. L. Hampton, Jr.	J. C. Nickell
Floyd Clark	Thomas W. Hines	Russell O'Neill
Roscoe Claxon	Price Holbrook	Mel Petry
George S. Clay	Clyde S. Howard	A. W. Pfeiffer
J. A. Coleman	Ira W. Hulette	Hobart Rayburn
Roy Conway	John M. Hunnicut	L. K. Rice
Herbert Cook	Ben W. Johnson	Joe E. Robinson
Harry Davis	J. H. Jones	John C. Robinson
Sam Dever	O. C. Jones	W. T. Rollo
Stanley S. Dickson	J. F. Ladd	A. W. Ross
George W. Dunlap	Leslie Larrimore	Carl Scheben
Howard G. Early	T. B. McConnell	Ray O. Shehan
Garland Embry	J. L. McDermott	Dr. B. F. Shields
Walter R. Fannin	Lloyd MacDonald	P. L. Sidebottom

Bruce Sloan	J. J. Thomas	L. R. Wells	
H. C. Steely	R. Van Bever, Jr.	W. G. Williams	
Henry Stewart	S. J. Wagner	Charles Wylie	
Dr. H. S. Swope	Joseph L. Wall		
W. R. Tapp	Henry Ward		—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 356. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky the Dodsworth Lane road running from the Alexandria Pike to the Mary Inglis Highway in Campbell County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky the Dodsworth Lane road running from the Alexandria Pike to the Mary Inglis Highway in Campbell County, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and

conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and possed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	James Garnett, Jr.	W. H. Miller
W. T. Baker	G. W. Garrett	John B. Mollett
B. F. Bedford	Ferd A. Gnau	W. E. Mull
Reuben J. Boling	Eugene Gough	Rodes K. Myers
Douglas Bolling	Ben Grogan	J. C. Nickell
Ollie J. Bowen	C. L. Hammons	Russell O'Neill
Wallace Brown	W. L. Hampton, Jr.	Mel Petry
Jas. C. Carter	Thomas W. Hines	A. W. Pfeiffer
V. O. Chandler	Price Holbrook	Hobart Rayburn
Floyd Clark	Clyde S. Howard	L. K. Rice
Roscoe Claxon	Ira W. Hulette	Joe E. Robinson
George S. Clay	John M. Hunnicut	John C. Robinson
J. A. Coleman	Ben W. Johnson	W. T. Rollo
Roy Conway	J. H. Jones	A. W. Ross
Herbert Cook	O. C. Jones	Carl Scheben
Harry Davis	J. F. Ladd	Ray O. Shehan
Sam Dever	Leslie Larrimore	Dr. B. F. Shields
Stanley S. Dickson	T. B. McConnell	P. L. Sidebottom
George W. Dunlap	J. L. McDermott	Bruce Sloan
Howard G. Early	Lloyd MacDonald	H. C. Steely
Garland Embry	W. F. McGary	Henry Stewart
Walter R. Fannin	Elmer McGlothen	Dr. H. S. Swope
T. P. Fitzpatrick	C. S. Matherly	W. R. Tapp
H. Myer Garner	G. S. Milam	J. J. Thomas

R. Van Bever, Jr.	Henry Ward	Charles Wylie	
S. J. Wagner	L. R. Wells		
Joseph L. Wall	W. G. Williams		—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 357. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky the Winters Lane road running from the Alexandria Pike to the Mary Inglis Highway in Campbell County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky the Winters Lane road running from the Alexandria Pike to the Mary Inglis Highway in Campbell County, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky, shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Harry C. Records
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall

Henry Ward W. G. Williams Charles Wylie
L. R. Wells —79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 358. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky the Gubser Mill-California road running from California to Gubser Mill in Campbell County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky the Gubser Mill-California road running from California to Gubser Mill in Campbell County, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Harry C. Records
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 360. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky the Riffle Creek Road running from Alexandria Pike to the Licking Pike in Campbell County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky the Riffle Creek Road running from the Alexandria Pike to the Licking Pike in Campbell County, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Ferd A. Gnau	Russell O'Neill
W. T. Baker	Eugene Gough	Mel Petry
B. F. Bedford	Ben Grogan	A. W. Pfeiffer
Reuben J. Boling	W. L. Hampton, Jr.	Hobart Rayburn
Douglas Bolling	Thomas W. Hines	L. K. Rice
Ollie J. Bowen	Price Holbrook	Joe E. Robinson
Wallace Brown	Clyde S. Howard	John C. Robinson
Jas. C. Carter	Ira W. Hulette	W. T. Rollo
V. O. Chandler	John M. Hunnicut	A. W. Ross
Floyd Clark	Ben W. Johnson	Carl Scheben
Roscoe Claxon	J. H. Jones	Ray O. Shehan
George S. Clay	O. C. Jones	Dr. B. F. Shields
J. A. Coleman	J. F. Ladd	P. L. Sidebottom
Roy Conway	Leslie Larrimore	Bruce Sloan
Herbert Cook	T. B. McConnell	H. C. Steely
Harry Davis	J. L. McDermott	Henry Stewart
Sam Dever	Lloyd MacDonald	Dr. H. S. Swope
Stanley S. Dickson	W. F. McGary	W. R. Tapp
George W. Dunlap	Elmer McGlothen	J. J. Thomas
Howard G. Early	C. S. Matherly	R. Van Bever, Jr.
Garland Embry	G. S. Milam	S. J. Wagner
Walter R. Fannin	W. H. Miller	Joseph L. Wall
T. P. Fitzpatrick	John B. Mollett	Henry Ward
H. Myer Garner	W. E. Mull	L. R. Wells
James Garnett, Jr.	Rodes K. Myers	W. G. Williams
G. W. Garrett	J. C. Nickell	Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 361. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky the Johns Mill Road running from the Alexandria Pike to the Licking Pike in Campbell County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky the John's Mill Road running from the Alexandria Pike to the Licking Pike in Campbell County, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 362. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky the First Pools Creek Road, running from the Alexandria Pike to the Licking Pike in Campbell County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky the First Pools Creek Road, running from the Alexandria Pike to the Licking Pike in Campbell County, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	B. F. Bedford	Douglas Bolling
W. T. Baker	Reuben J. Boling	Ollie J. Bowen

Wallace Brown	Thomas W. Hines	Hobart Rayburn
Jas. C. Carter	Price Holbrook	L. K. Rice
V. O. Chandler	Clyde S. Howard	Joe E. Robinson
Floyd Clark	Ira W. Hulette	John C. Robinson
Roscoe Claxon	John M. Hunnicut	W. T. Rollo
George S. Clay	Ben W. Johnson	A. W. Ross
J. A. Coleman	J. H. Jones	Carl Scheben
Roy Conway	O. C. Jones	Ray O. Shehan
Herbert Cook	J. F. Ladd	Dr. B. F. Shields
Harry Davis	Leslie Larrimore	P. L. Sidebottom
Sam Dever	T. B. McConnell	Bruce Sloan
Stanley S. Dickson	J. L. McDermott	H. C. Steely
George W. Dunlap	Lloyd MacDonald	Henry Stewart
Howard G. Early	W. F. McGary	Dr. H. S. Swope
Garland Embry	Elmer McGlothen	W. R. Tapp
Walter R. Fannin	C. S. Matherly	J. J. Thomas
T. P. Fitzpatrick	G. S. Milam	R. Van Bever, Jr.
H. Myer Garner	W. H. Miller	S. J. Wagner
James Garnett, Jr.	John B. Mollett	Joseph L. Wall
G. W. Garrett	W. E. Mull	Henry Ward
Ferd A. Gnau	Rodes K. Myers	L. R. Wells
Eugene Gough	J. C. Nickell	W. G. Williams
Ben Grogan	Russell O'Neill	Charles Wylie
C. L. Hammons	Mel Petry	
W. L. Hampton, Jr.	A. W. Pfeiffer	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 363. An Act creating and establishing as a part of the state highway system of the Commonwealth of Kentucky, a road leading from Solway in Hardin County, at a point in the East View and Solway Highway, to Hardin Springs in Hardin County at a point in state project leading from Hardin Springs to Leitchfield and Hardinsburg road at Madrid.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the state highway system of the Comonwealth of Kentucky a road leading from Solway in Hardin County, at a point in the East View and Solway highway, to Hardin Springs in Hardin County at a point in State project leading from Hardin Springs to the Leitchfield and Hardinsburg road at Madrid.

§ 2. The construction, maintenance, supervision of said road shall be subject to and controlled by Chapter 17 of the Acts of the General Assembly of 1920, as amended, establishing and creating a system of state highways as if said road had been named in the original Act.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	B. F. Bedford	Douglas Bolling
W. T. Baker	Reuben J. Boling	Ollie J. Bowen

Wallace Brown	Thomas W. Hines	Hobart Rayburn
Jas. C. Carter	Price Holbrook	L. K. Rice
V. O. Chandler	Clyde S. Howard	Joe E. Robinson
Floyd Clark	Ira W. Hulette	John C. Robinson
Roscoe Claxon	John M. Hunnicut	W. T. Rollo
George S. Clay	Ben W. Johnson	A. W. Ross
J. A. Coleman	J. H. Jones	Carl Scheben
Roy Conway	O. C. Jones	Ray O. Shehan
Herbert Cook	J. F. Ladd	Dr. B. F. Shields
Harry Davis	Leslie Larrimore	P. L. Sidebottom
Sam Dever	T. B. McConnell	Bruce Sloan
Stanley S. Dickson	J. L. McDermott	H. C. Steely
George W. Dunlap	Lloyd MacDonald	Henry Stewart
Howard G. Early	W. F. McGary	Dr. H. S. Swope
Garland Embry	Elmer McGlothen	W. R. Tapp
Walter R. Fannin	C. S. Matherly	J. J. Thomas
T. P. Fitzpatrick	G. S. Milam	R. Van Bever, Jr.
H. Myer Garner	W. H. Miller	S. J. Wagner
G. W. Garrett	John B. Mollett	Joseph L. Wall
James Garnett, Jr.	W. E. Mull	Henry Ward
Ferd A. Gnau	Rodes K. Myers	L. R. Wells
Eugene Gough	J. C. Nickell	W. G. Williams
Ben Grogan	Russell O'Neill	Charles Wylie
C. L. Hammons	Mel Petry	
W. L. Hampton, Jr.	A. W. Pfeiffer	

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 364. An Act establishing and creating as a part of the state highway system of the Commonwealth of Kentucky a road from Four Corners in Hardin County, Kentucky, leading along and near to the present county road to Big Springs in the line between Hardin County and Breckinridge County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established and created as a part of the state highway system of the Commonwealth of Kentucky a road leading from Four Corners in Hardin County, Kentucky, leading along and near the present county road to Big Springs in the line between Hardin County and Breckinridge County.

§ 2. The construction, maintenance, supervision and control of said roal shall be subject to and controlled by Chapter 17 of the Acts of the General Assembly of 1920 as amended, establishing and creating a system of state highways as if said road had been named in said act.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Reuben J. Boling	Wallace Brown
W. T. Baker	Douglas Bolling	Jas. C. Carter
B. F. Bedford	Ollie J. Bowen	V. O. Chandler

Floyd Clark	Clyde S. Howard	L. K. Rice
Roscoe Claxon	Ira W. Hulette	Joe E. Robinson
George S. Clay	John M. Hunnicut	John C. Robinson
J. A. Coleman	Ben W. Johnson	W. T. Rollo
Roy Conway	J. H. Jones	A. W. Ross
Herbert Cook	O. C. Jones	Carl Scheben
Harry Davis	J. F. Ladd	Ray O. Shehan
Sam Dever	Leslie Larrimore	Dr. B. F. Shields
Stanley S. Dickson	T. B. McConnell	P. L. Sidebottom
George W. Dunlap	J. L. McDermott	Bruce Sloan
Howard G. Early	Lloyd MacDonald	H. C. Steely
Garland Embry	W. F. McGary	Henry Stewart
Walter R. Fannin	Elmer McGlothen	Dr. H. S. Swope
T. P. Fitzpatrick	C. S. Matherly	W. R. Tapp
H. Myer Garner	G. S. Milam	J. J. Thomas
James Garnett, Jr.	W. H. Miller	R. Van Bever, Jr.
G. W. Garrett	John B. Mollett	S. J. Wagner
Ferd A. Gnau	W. E. Mull	Joseph L. Wall
Eugene Gough	Rodes K. Myers	Henry Ward
Ben Grogan	J. C. Nickell	L. R. Wells
C. L. Hammons	Russell O'Neill	W. G. Williams
W. L. Hampton, Jr.	Mel Petry	Charles Wylie
Thomas W. Hines	A. W. Pfeiffer	
Price Holbrook	Hobart Rayburn	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 381. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at Tom B. Sutton's Store on Ball's Fork of Troublesome Creek in Knott County, to the mouth of Ogden Creek, connecting with Highway No. 80, just below Hindman in Knott County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning at Tom B. Sutton's Store on Ball's Fork of Troublesome Creek in Knott County, to the Mouth of Ogden Creek, connecting with Highway No. 80 just below Hindman in Knott County.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Douglas Bolling	V. O. Chandler
W. T. Baker	Ollie J. Bowen	Floyd Clark
B. F. Bedford	Wallace Brown	Roscoe Claxon
Reuben J. Boling	Jas. C. Carter	George S. Clay

J. A. Coleman	John M. Hunnicut	Joe E. Robinson
Roy Conway	Ben W. Johnson	John C. Robinson
Herbert Cook	J. H. Jones	W. T. Rollo
Harry Davis	O. C. Jones	A. W. Ross
Sam Dever	J. F. Ladd	Carl Scheben
Stanley S. Dickson	Leslie Larrimore	Ray O. Shehan
George W. Dunlap	T. B. McConnell	Dr. B. F. Shields
Howard G. Early	J. L. McDermott	P. L. Sidebottom
Garland Embry	Lloyd MacDonald	Bruce Sloan
Walter R. Fannin	W. F. McGary	H. C. Steely
T. P. Fitzpatrick	Elmer McGlothen	Henry Stewart
H. Myer Garner	C. S. Matherly	Dr. H. S. Swope
James Garnett, Jr.	G. S. Milam	W. R. Tapp
G. W. Garrett	W. H. Miller	J. J. Thomas
Ferd A. Gnau	John B. Mollett	R. Van Bever, Jr.
Eugene Gough	W. E. Mull	S. J. Wagner
Ben Grogan	Rodes K. Myers	Joseph L. Wall
C. L. Hammons	J. C. Nickell	Henry Ward
W. L. Hampton, Jr.	Russell O'Neill	L. R. Wells
Thomas W. Hines	Mel Petry	W. G. Williams
Price Holbrook	A. W. Pfeiffer	Charles Wylie
Clyde S. Howard	Hobart Rayburn	
Ira W. Hulette	L. K. Rice	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 382. An Act to add to the primary system of public roads, a road leading from a point in the Keysburg, Allens-

ville and Elkton road near Thad Youngs in Logan County and running thence west about a distance of three miles to the Todd County Line, thence west in Todd County a distance of about one-half mile connecting with a road running to the Town of Guthrie in Todd County, Kentucky, an approximate distance totaling 3½ miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the Primary System of the State Highways of the Commonwealth of Kentucky, a road:

Beginning at an intersection of the Keysburg, Allensville and Elkton road about one-half mile west of the village of Keysburg near Thad Young's, running thence in a westerly direction a distance of 3 miles to the Todd County line, thence west in Todd County a distance of about one-half mile to a point in the Guthrie road, which is about 5 miles east of the Town of Guthrie, a total distance of approximately 3½ miles.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways, the same as though said road had been named in said original Act as one of said primary system of highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 383. An Act establishing as a part of the primary system of State highways, a road beginning near Bert High's place on State Highway No. 63 in Monroe County, Kentucky, via Forkton, Sluphur Lick and Logan's Cross Roads to Temple Hill in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of the State Highways of the Commonwealth of Kentucky, a road beginning near Bert High's place on State Highway No. 63 in Monroe County, Kentucky, via Forkton, Sulphur Lick and Logan's Cross Roads to Temple Hill in Barren County.

The road thus established shall be entitled to receive all the benefits of such laws as are now or may hereafter be in effect with relation to the state primary road and highway system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill bill in accordance with the provisions of the Constitution were follows, viz.:

Those who voted in the affirmative were—

H. T. Baker W. T. Baker B. F. Bedford

Reuben J. Boling	C. L. Hammons	A. W. Pfeiffer
Douglas Bolling	W. L. Hampton, Jr.	Hobart Rayburn
Ollie J. Bowen	Thomas W. Hines	L. K. Rice
Wallace Brown	Price Holbrook	Joe E. Robinson
Jas. C. Carter	Clyde S. Howard	John C. Robinson
V. O. Chandler	Ira W. Hulette	W. T. Rollo
Floyd Clark	John M. Hunnicut	A. W. Ross
Roscoe Claxon	Ben W. Johnson	Carl Scheben
George S. Clay	J. H. Jones	Ray O. Shehan
J. A. Coleman	O. C. Jones	Dr. B. F. Shields
Roy Conway	J. F. Ladd	P. L. Sidebottom
Herbert Cook	Leslie Larrimore	Bruce Sloan
Harry Davis	T. B. McConnell	H. C. Steely
Sam Dever	J. L. McDermott	Henry Stewart
Stanley S. Dickson	Lloyd MacDonald	Dr. H. S. Swope
George W. Dunlap	W. F. McGary	W. R. Tapp
Howard G. Early	Elmer McGlothen	J. J. Thomas
Garland Embry	C. S. Matherly	R. Van Bever, Jr.
Walter R. Fannin	G. S. Milam	S. J. Wagner
T. P. Fitzpatrick	W. H. Miller	Joseph L. Wall
H. Myer Garner	John B. Mollett	Henry Ward
James Garnett, Jr.	W. E. Mull	L. R. Wells
G. W. Garrett	Rodes K. Myers	W. G. Williams
Ferd A. Gnau	J. C. Nickell	Charles Wylie
Eugene Gough	Russell O'Neill	
Ben Grogan	Mel Petry	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 384. An Act establishing and creating as a part of the Primary System of roads and highways of the Commonwealth of Kentucky, a road beginning at a point on Highway 58 where the ridge road now being constructed by the Resettlement Administration of the United States of America intersects said highways, on the State Game Refuge in Lyon County; thence to the Hillman Ferry on the Tennessee River by way of Star Lime Works, a distance of approximately five miles, all of said road being in Lyon County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There hereby is established as a part of the Primary System of State roads and highways of the Commonwealth of Kentucky, a road beginning at a point on Highway 58 where the ridge road now being constructed by the Resettlement Administration of the United States of America intersects said highway, on the State Game Refuge in Lyon County; thence to the Hillman Ferry on the Tennessee River by way of Star Lime Works, a distance of approximately five miles, all of said road being in Lyon County, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17, page 76, of the Acts of 1920, establishing and creating a primary system of State highways, as amended, and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relation to primary system of State Highways.

Said project when completed shall be known and designated as State Project No. .....

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early.	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 385. An Act to add to the primary system of public roads, a road leading from the intersection of the Elkton, Allensville and Keysburg road at a point near Irbie Pages in Logan County running in an easterly direction a distance of about 6 miles intersecting the Russellville-Keysburg road at a point near Green Bailey's in Logan County, a total distance of approximately 6 miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the State Highways of the Commonwealth of Kentucky, a road:

Beginning at a point in the State highway known as the Elkton, Allensville and Keysburg road near Irbie Page's in Logan County and running east a distance of about 6 miles intersecting the State highway known as the Russellville-Keysburg road at a point near Green Bailey's a total distance of approximately 6 miles.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways, the same

as though said road had been named in said original Act as one of said primary system of highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	James Garnett, Jr.	W. H. Miller
W. T. Baker	G. W. Garrett	John B. Mollett
B. F. Bedford	Ferd A. Gnau	W. E. Mull
Reuben J. Boling	Eugene Gough	Rodes K. Myers
Douglas Bolling	Ben Grogan	J. C. Nickell
Ollie J. Bowen	C. L. Hammons	Russell O'Neill
Wallace Brown	W. L. Hampton, Jr.	Mel Petry
Jas. C. Carter	Thomas W. Hines	A. W. Pfeiffer
V. O. Chandler	Price Holbrook	Hobart Rayburn
Floyd Clark	Clyde S. Howard	L. K. Rice
Roscoe Claxon	Ira W. Hulette	Joe E. Robinson
George S. Clay	John M. Hunnicut	John C. Robinson
J. A. Coleman	Ben W. Johnson	W. T. Rollo
Roy Conway	J. H. Jones	A. W. Ross
Herbert Cook	O. C. Jones	Carl Scheben
Harry Davis	J. F. Ladd	Ray O. Shehan
Sam Dever	Leslie Larrimore	Dr. B. F. Shields
Stanley S. Dickson	T. B. McConnell	P. L. Sidebottom
George W. Dunlap	J. L. McDermott	Bruce Sloan
Howard G. Early	Lloyd MacDonald	H. C. Steely
Garland Embry	W. F. McGary	Henry Stewart
Walter R. Fannin	Elmer McGlothen	Dr. H. S. Swope
T. P. Fitzpatrick	C. S. Matherly	W. R. Tapp
H. Myer Garner	G. S. Milam	J. J. Thomas

R. Van Bever, Jr.	Henry Ward	Charles Wylie	
S. J. Wagner	L. R. Wells		
Joseph L. Wall	W. G. Williams		—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 386. An Act establishing and creating as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at the top of Martin Hill and running to Mitchell Hill by way of Knob Creek, a distance of about five miles, to a point where Mitchell Hill joins the Jefferson County line, all of said road being in Bullitt County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary system of State roads and highways of the Commonwealth of Kentucky, a road beginning at the top of Martin Hill and running to Mitchell Hill by way of Knob Creek, a distance of about five miles, to a point where Mitchell Hill joins the Jefferson County line, all of said road being in Bullitt County.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and condi-

tions set out and provided for in Chapter 17, page 76, of the Acts of 1920, establishing and creating a primary system of State highways, as amended, and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relation to the primary system of State highways.

Said project when completed shall be known and designated as State Project No. .....

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Stanley S. Dickson	Ira W. Hulette
W. T. Baker	George W. Dunlap	John M. Hunnicut
B. F. Bedford	Howard G. Early	Ben W. Johnson
Reuben J. Boling	Garland Embry	J. H. Jones
Douglas Bolling	Walter R. Fannin	O. C. Jones
Ollie J. Bowen	T. P. Fitzpatrick	J. F. Ladd
Wallace Brown	H. Myer Garner	Leslie Larrimore
Jas. C. Carter	James Garnett, Jr.	T. B. McConnell
V. O. Chandler	G. W. Garrett	J. L. McDermott
Floyd Clark	Ferd A. Gnau	Lloyd MacDonald
Roscoe Claxon	Eugene Gough	W. F. McGary
George S. Clay	Ben Grogan	Elmer McGlothen
J. A. Coleman	C. L. Hammons	C. S. Matherly
Roy Conway	W. L. Hampton, Jr.	G. S. Milam
Herbert Cook	Thomas W. Hines	W. H. Miller
Harry Davis	Price Holbrook	John B. Mollett
Sam Dever	Clyde S. Howard	W. E. Mull

Rodes K. Myers	A. W. Ross	J. J. Thomas
J. C. Nickell	Carl Scheben	R. Van Bever, Jr.
Russell O'Neill	Ray O. Shehan	S. J. Wagner
Mel Petry	Dr. B. F. Shields	Joseph L. Wall
A. W. Pfeiffer	P. L. Sidebottom	Henry Ward
Hobart Rayburn	Bruce Sloan	L. R. Wells
L. K. Rice	H. C. Steely	W. G. Williams
Joe E. Robinson	Henry Stewart	Charles Wylie
John C. Robinson	Dr. H. S. Swope	
W. T. Rollo	W. R. Tapp	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 387. An Act to add to the primary road system a certain road in Carter and Lawrence counties.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a certain road be added to the primary road system and more fully described as follows:

Beginning at Hitchins, Kentucky, in Carter County thence to Denton, in Carter County, thence up Straight Creek to Cunningham's store, thence down East Fork by way of Glennwood, in Lawrence County, intersecting with the Mayo Trail at or near the Riffe filling station.

This project is to be under the supervision and control of the State Highway Commission and subject to all its law thereof.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	H. Myer Garner	G. S. Milam
W. T. Baker	James Garnett, Jr.	W. H. Miller
B. F. Bedford	G. W. Garrett	John B. Mollett
Reuben J. Boling	Ferd A. Gnau	W. E. Mull
Douglas Bolling	Eugene Gough	Rodes K. Myers
Ollie J. Bowen	Ben Grogan	J. C. Nickell
Wallace Brown	W. L. Hampton, Jr.	Russell O'Neill
Jas. C. Carter	Thomas W. Hines	Mel Petry
V. O. Chandler	Price Holbrook	A. W. Pfeiffer
Floyd Clark	Clyde S. Howard	Hobart Rayburn
Roscoe Claxon	Ira W. Hulette	L. K. Rice
George S. Clay	John M. Hunnicut	Joe E. Robinson
J. A. Coleman	Ben W. Johnson	John C. Robinson
Roy Conway	J. H. Jones	W. T. Rollo
Herbert Cook	O. C. Jones	A. W. Ross
Harry Davis	J. F. Ladd	Carl Scheben
Sam Dever	Leslie Larrimore	Ray O. Shehan
Stanley S. Dickson	T. B. McConnell	Dr. B. F. Shields
George W. Dunlap	J. L. McDermott	P. L. Sidebottom
Howard G. Early	Lloyd MacDonald	Bruce Sloan
Garland Embry	W. F. McGary	H. C. Steely
Walter R. Fannin	Elmer McGlothen	Henry Stewart
T. P. Fitzpatrick	C. S. Matherly	Dr. H. S. Swope

W. R. Tapp	S. J. Wagner	L. R. Wells
J. J. Thomas	Joseph L. Wall	W. G. Williams
R. Van Bever, Jr.	Henry Ward	Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 388. An Act creating and establishing as a part of the State primary system of roads and highways, a road project, beginning at the end of Richland Street in Barbourville, Knox County, Kentucky, and leading through Apple Grove so as to intersect with the Dr. Thomas Walker Memorial Highway.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary roads and highways of the Commonwealth of Kentucky, a road beginning at the end of Richland Street in Barbourville, Knox County, Kentucky, thence through Apple Grove so as to intersect with the Dr. Thomas Walker Memorial Highway a distance of about two miles.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all terms set out and provided for in Chapter 17 of the Acts of the General Assem-

bly of 1920, creating and establishing a primary system of roads, the same as if said road had been named in said original act as one of the projects of said primary system of the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	T. P. Fitzpatrick	W. F. McGary
W. T. Baker	H. Myer Garner	Elmer McGlothen
B. F. Bedford	James Garnett, Jr.	C. S. Matherly
Reuben J. Boling	G. W. Garrett	G. S. Milam
Douglas Bolling	Ferd A. Gnau	W. H. Miller
Ollie J. Bowen	Eugene Gough	John B. Mollett
Wallace Brown	Ben Grogan	W. E. Mull
Jas. C. Carter	C. L. Hammons	Rodes K. Myers
V. O. Chandler	W. L. Hampton, Jr.	J. C. Nickell
Floyd Clark	Thomas W. Hines	Russell O'Neill
Roscoe Claxon	Price Holbrook	Mel Petry
George S. Clay	Clyde S. Howard	A. W. Pfeiffer
J. A. Coleman	Ira W. Hulette	Hobart Rayburn
Roy Conway	John M. Hunnicut	L. K. Rice
Herbert Cook	Ben W. Johnson	Joe E. Robinson
Harry Davis	J. H. Jones	John C. Robinson
Sam Dever	O. C. Jones	W. T. Rollo
Stanley S. Dickson	J. F. Ladd	A. W. Ross
George W. Dunlap	Leslie Larrimore	Carl Scheben
Howard G. Early	T. B. McConnell	Ray O. Shehan
Garland Embry	J. L. McDermott	Dr. B. F. Shields
Walter R. Fannin	Lloyd MacDonald	P. L. Sidebottom

Bruce Sloan	J. J. Thomas	L. R. Wells	
H. C. Steely	R. Van Bever, Jr.	W. G. Williams	
Henry Stewart	S. J. Wagner	Charles Wylie	
Dr. H. S. Swope	Joseph L. Wall		
W. R. Tapp	Henry Ward		—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 389. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning on the Greenup-Grayson Highway, State Road No. 28, at the mouth of Lost Creek in Greenup, then running up Lost Creek, thence over the hill to Kehoe, in Greenup County, connecting with State road No. 47a, runing a distance of approximately 7 miles long, and designated the same as Project .....

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and is hereby established as a part of the State primary system of roads of the Commonwealth of Kentucky, a road leading from a point on the Greenup-Grayson Highway, state road No. 28, at the mouth of Lost Creek in Greenup County, thence up Lost Creek in a west-

erly direction, thence over a hill to Kehoe, Kentucky, in Greenup County, connecting with the Fullerton-Olive Hill Highway, state road No. 47a, the approximate length of this Lost Creek road being about 7 miles, and said road thus established shall be designated as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Harry Davis	W. L. Hampton, Jr.
W. T. Baker	Sam Dever	Thomas W. Hines
B. F. Bedford	Stanley S. Dickson	Price Holbrook
Reuben J. Boling	George W. Dunlap	Clyde S. Howard
Douglas Bolling	Howard G. Early	Ira W. Hulette
Ollie J. Bowen	Garland Embry	John M. Hunnicut
Wallace Brown	Walter R. Fannin	Ben W. Johnson
Jas. C. Carter	T. P. Fitzpatrick	J. H. Jones
V. O. Chandler	H. Myer Garner	O. C. Jones
Floyd Clark	James Garnett, Jr.	J. F. Ladd
Roscoe Claxon	G. W. Garrett	Leslie Larrimore
George S. Clay	Ferd A. Gnau	T. B. McConnell
J. A. Coleman	Eugene Gough	J. L. McDermott
Roy Conway	Ben Grogan	Lloyd MacDonald
Herbert Cook	C. L. Hammons	W. F. McGary

Elmer McGlothen	L. K. Rice	Dr. H. S. Swope
C. S. Matherly	Joe E. Robinson	W. R. Tapp
G. S. Milam	John C. Robinson	J. J. Thomas
W. H. Miller	W. T. Rollo	R. Van Bever, Jr.
John B. Mollett	A. W. Ross	S. J. Wagner
W. E. Mull	Carl Scheben	Joseph L. Wall
Rodes K. Myers	Ray O. Shehan	Henry Ward
J. C. Nickell	Dr. B. F. Shields	L. R. Wells
Russell O'Neill	P. L. Sidebottom	W. G. Williams
Mel Petry	Bruce Sloan	Charles Wylie
A. W. Pfeiffer	H. C. Steely	
Hobart Rayburn	Henry Stewart	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 390. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at a point on the Fullerton-Olive Hill Highway, state road No. 47a, in Greenup County, at Rocky Ford Bridge; thence up Big White Oak Creek in a western direction up Big White Oak Creek to point where said road intersects with Sunshine-Leatherwood road, being about 5 miles in length, and said road to be designated as state road project No. .....

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and is hereby established as a part of the State primary system of roads of the Commonwealth of Kentucky, a road leading from a point on the Fullerton-Olive Hill Highway, state road No. 47a, at Rocky Ford Bridge in Greenup County, thence up Big White Oak Creek, approximately 5 miles to Kenton Furnace where said road intersects with Sunshine-Leatherwood road, said road to be designated as and known as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of State Highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Floyd Clark	George W. Dunlap
W. T. Baker	Roscoe Claxon	Howard G. Early
B. F. Bedford	George S. Clay	Garland Embry
Reuben J. Boling	J. A. Coleman	Walter R. Fannin
Douglas Bolling	Roy Conway	T. P. Fitzpatrick
Ollie J. Bowen	Herbert Cook	H. Myer Garner
Wallace Brown	Harry Davis	James Garnett, Jr.
Jas. C. Carter	Sam Dever	G. W. Garrett
V. O. Chandler	Stanley S. Dickson	Ferd A. Gnau

Eugene Gough	Elmer McGlothen	Ray O. Shehan
Ben Grogan	C. S. Matherly	Dr. B. F. Shields
C. L. Hammons	G. S. Milam	P. L. Sidebottom
W. L. Hampton, Jr.	W. H. Miller	Bruce Sloan
Thomas W. Hines	John B. Mollett	H. C. Steely
Price Holbrook	W. E. Mull	Henry Stewart
Clyde S. Howard	Rodes K. Myers	Dr. H. S. Swope
Ira W. Hulette	J. C. Nickell	W. R. Tapp
John M. Hunnicut	Russell O'Neill	J. J. Thomas
Ben W. Johnson	Mel Petry	R. Van Bever, Jr.
J. H. Jones	A. W. Pfeiffer	S. J. Wagner
O. C. Jones	Hobart Rayburn	Joseph L. Wall
J. F. Ladd	L. K. Rice	Henry Ward
Leslie Larrimore	Joe E. Robinson	L. R. Wells
T. B. McConnell	John C. Robinson	W. G. Williams
J. L. McDermott	W. T. Rollo	Charles Wylie
Lloyd MacDonald	A. W. Ross	
W. F. McGary	Carl Scheben	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 391. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on the Greenup-Russell Highway state road No. 138, at Chinn's Branch railroad crossing in Greenup County; thence North across C. & O. Railroad tracks, thence East to the City of Worthington, in Green-

up County, being a road about 2 miles in length, and said road to be designated as state road project No. .....

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the State Primary System of roads of the Commonwealth of Kentucky, a road leading from a point on the Greenup-Russell Highway, state road No. 138, at Chinn's Branch railroad crossing, in Greenup County, thence North across the C. & O. Railroad tracks about ¼ mile; thence East about 1½ miles to the City of Worthington, in Greenup County, and said road to be designated as state road project No. .....

§ 2. The constitution, maintenance, supervision and control of said road shall be subject to all terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of State Highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Ollie J. Bowen	Roscoe Claxon
W. T. Baker	Wallace Brown	George S. Clay
B. F. Bedford	Jas. C. Carter	J. A. Coleman
Reuben J. Boling	V. O. Chandler	Roy Conway
Douglas Bolling	Floyd Clark	Herbert Cook

Harry Davis	J. H. Jones	John C. Robinson
Sam Dever	O. C. Jones	W. T. Rollo
Stanley S. Dickson	J. F. Ladd	A. W. Ross
George W. Dunlap	Leslie Larrimore	Carl Scheben
Howard G. Early	T. B. McConnell	Ray O. Shehan
Garland Embry	J. L. McDermott	Dr. B. F. Shields
Walter R. Fannin	Lloyd MacDonald	P. L. Sidebottom
T. P. Fitzpatrick	W. F. McGary	Bruce Sloan
H. Myer Garner	Elmer McGlothen	H. C. Steely
James Garnett, Jr.	C. S. Matherly	Henry Stewart
G. W. Garrett	G. S. Milam	Dr. H. S. Swope
Ferd A. Gnau	W. H. Miller	W. R. Tapp
Eugene Gough	John B. Mollett	J. J. Thomas
Ben Grogan	W. E. Mull	R. Van Bever, Jr.
C. L. Hammons	Rodes K. Myers	S. J. Wagner
W. L. Hampton, Jr.	J. C. Nickell	Joseph L. Wall
Thomas W. Hines	Russell O'Neill	Henry Ward
Price Holbrook	Mel Petry	L. R. Wells
Clyde S. Howard	A. W. Pfeiffer	W. G. Williams
Ira W. Hulette	Hobart Rayburn	Charles Wylie
John M. Hunnicut	L. K. Rice	
Ben W. Johnson	Joe E. Robinson	

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 392. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of

Kentucky, a road beginning at Sunshine on the Fullerton-Olive Hill highway, state road No. 47a, in Greenup County, thence by way of White Oak road, Flat Hollow road to a point on Greenup-Vanceburg road, state road No. 138 in Greenup County, approximately 3 miles in length, said road to be designated as project No. .....

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and is hereby established as a part of the State Primary System of roads of the Commonwealth of Kentucky, a road leading from a point on the Fullerton-Olive Hill Highway, state road No. 47a, at Sunshine, in Greenup County; thence up White Oak road in a westerly direction, to Flat Hollow road; thence in a Northernly direction up Flat Hollow road, and over the hill to a point on the Greenup-Vanceburg Highway, said road being approximately 3 miles in length.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

The said road thus established shall be known and designated as Project No. .....

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 393. An Act establishing as part of the primary system of State Highways a road leading from the Greenup-Ashland at Wurtland in Greenup County to the Flatwoods-Simington road in Greenup County, via Uhlens Branch and old Steam Furnace, following as near as possible the present gravel road, same to be known as project No. .....

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State Highways of the Commonwealth of Kentucky, a road starting at a point on the Greenup-Ashland Highway, road project No. 138, near Wurtland in Greenup County; thence running in a Southerly direction up Uhlens Branch, then by Old Steam Furnace and intersecting with the Flatwoods-Simington road, state road project No. 495, in Greenup County, approximately 4 miles in length, and following as near as possible the present gravel road, same to be known as project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways of the Commonwealth of Kentucky as provided herein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.

Those who voted in the affirmative were—

H. T. Baker	Ferd A. Gnau	Russell O'Neill
W. T. Baker	Eugene Gough	Mel Petry
B. F. Bedford	Ben Grogan	A. W. Pfeiffer
Reuben J. Boling	W. L. Hampton, Jr.	Hobart Rayburn
Douglas Bolling	Thomas W. Hines	L. K. Rice
Ollie J. Bowen	Price Holbrook	Joe E. Robinson
Wallace Brown	Clyde S. Howard	John C. Robinson
Jas. C. Carter	Ira W. Hulette	W. T. Rollo
V. O. Chandler	John M. Hunnicut	A. W. Ross
Floyd Clark	Ben W. Johnson	Carl Scheben
Roscoe Claxon	J. H. Jones	Ray O. Shehan
George S. Clay	O. C. Jones	Dr. B. F. Shields
J. A. Coleman	J. F. Ladd	P. L. Sidebottom
Roy Conway	Leslie Larrimore	Bruce Sloan
Herbert Cook	T. B. McConnell	H. C. Steely
Harry Davis	J. L. McDermott	Henry Stewart
Sam Dever	Lloyd MacDonald	Dr. H. S. Swope
Stanley S. Dickson	W. F. McGary	W. R. Tapp
George W. Dunlap	Elmer McGlothen	J. J. Thomas
Howard G. Early	C. S. Matherly	R. Van Bever, Jr.
Garland Embry	G. S. Milam	S. J. Wagner
Walter R. Fannin	W. H. Miller	Joseph L. Wall
T. P. Fitzpatrick	John B. Mollett	Henry Ward
H. Myer Garner	W. E. Mull	L. R. Wells
James Garnett, Jr.	Rodes K. Myers	W. G. Williams
G. W. Garrett	J. C. Nickell	Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 394. An Act establishing as a part of the primary system of State Highways a road leading from Argillite in Greenup County to the Boyd County line at Naples, Kentucky, in Greenup County, via of Culp Creek, Chadwicks Branch and East Fork Creek, following as near as possible the present dirt road, same to be known as project No. .....

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State Highways of the Commonwealth of Kentucky, a road starting at a point on the London-Greenup road, state road project No. 28, at Argillite in Greenup County; thence in an easterly direction up over a hill thence up Culp Creek, to Chadwicks Branch; thence down Chadwicks Branch to East Fork Creek; thence up East Fork Creek in an easterly direction to the Boyd County line near Naples Post Office in Greenup County, following as near as possible the present dirt road, same to be known as project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways of the Commonwealth of Kentucky as provided herein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Ferd A. Gnau	Russell O'Neill
W. T. Baker	Eugene Gough	Mel Petry
B. F. Bedford	Ben Grogan	A. W. Pfeiffer
Reuben J. Boling	W. L. Hampton, Jr.	Hobart Rayburn
Douglas Bolling	Thomas W. Hines	L. K. Rice
Ollie J. Bowen	Price Holbrook	Joe E. Robinson
Wallace Brown	Clyde S. Howard	John C. Robinson
Jas. C. Carter	Ira W. Hulette	W. T. Rollo
V. O. Chandler	John M. Hunnicut	A. W. Ross
Floyd Clark	Ben W. Johnson	Carl Scheben
Roscoe Claxon	J. H. Jones	Ray O. Shehan
George S. Clay	O. C. Jones	Dr. B. F. Shields
J. A. Coleman	J. F. Ladd	P. L. Sidebottom
Roy Conway	Leslie Larrimore	Bruce Sloan
Herbert Cook	T. B. McConnell	H. C. Steely
Harry Davis	J. L. McDermott	Henry Stewart
Sam Dever	Lloyd MacDonald	Dr. H. S. Swope
Stanley S. Dickson	W. F. McGary	W. R. Tapp
George W. Dunlap	Elmer McGlothen	J. J. Thomas
Howard G. Early	C. S. Matherly	R. Van Bever, Jr.
Garland Embry	G. S. Milam	S. J. Wagner
Walter R. Fannin	W. H. Miller	Joseph L. Wall
T. P. Fitzpatrick	John B. Mollett	Henry Ward
H. Myer Garner	W. E. Mull	L. R. Wells
James Garnett, Jr.	Rodes K. Myers	W. G. Williams
G. W. Garrett	J. C. Nickell	Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 395. An Act establishing as part of the primary system of State Highways a road leading from a point on the Greenup-Grayson Highway, state road No. 28, near Oldtown Post Office in Greenup County, thence along the North Fork of Oldtown Creek, thence up a hill and connecting with the Greenup-Redhot road, state road No. 494, at the top of Laurel Hill, in Greenup County, following as near as possible the present dirt road, same to be known as project No. .....

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State Highways of the Commonwealth of Kentucky, a road starting from a point on the Greenup-Grayson road, state road No. 28, just north of Oldtown Post Office, in Greenup County, thence along the North Fork of Oldtown Creek in a Northwesterly direction, thence up a hill and connecting with the Greenup-Redhot road, state road No. 494, at the top of Laurel Hill in Greenup County, said road being approximately 6 miles long, and following as near as possible the present dirt road, same to be known as project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State

Highways to the same effect as if said road had been named in the original act as one of the projects of the primary systems of state highways of the Commonwealth of Kentucky as provided herein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan

H. C. Steely	J. J. Thomas	Henry Ward
Henry Stewart	R. Van Bever, Jr.	L. R. Wells
Dr. H. S. Swope	S. J. Wagner	W. G. Williams
W. R. Tapp	Joseph L. Wall	Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 396. An Act establishing as a part of the state primary system, a road project from Greensburg-Hardyville highway near Earl Ronald's farm in Green County to the Greensburg-Crailhope road near the farm of Luther Tucker, via.: of D. G. Davis's farm.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established and created as part of the State Highway System of Highways, a road beginning at a point in the Greensburg-Hardyville highway near the farm of Earl Ronald, in Green County, about one-fourth of a mile south of Green River, thence via of D. G. Davis's farm to a point in the Greensburg Crailhope road near the farm of Luther Tucker about one mile north of Pierce, Green County, Kentucky.

The project herein established shall be subject to all laws

for the benefit of other State Highways of the State of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.

S. J. Wagner	Henry Ward	W. G. Williams
Joseph L. Wall	L. R. Wells	Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 397. An Act creating and establishing as a part of the primary system of Highways of the Commonwealth of Kentucky a road beginning at or near the west end of the Louisville and Nashville Railroad Bridge in Frankfort, Franklin County at Project No. 37 and running, via the Benson road in Franklin County to Highway No. ..... at or near Bagdad in Shelby County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of a primary system of highways of the Commonwealth of Kentucky, a road beginning at Highway No. 37 at the west end of the old Louisville and Nashville Railroad Bridge in in Frankfort, Franklin County, Kentucky, and thence west of the Louisville and Nashville Railroad through Benson Valley by Conway's Mill; thence by Benson Church; thence to the fork of the pike one-fourth of a mile south of Mt. Zion Church;

thence to Benson Creek one-half mile east of Hatton and thence to Bagdad in Shelby County to connect with Project No. ..... to be known and designated as Project No. .....

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	H. Myer Garner	C. S. Matherly
W. T. Baker	James Garnett, Jr.	G. S. Milam
B. F. Bedford	G. W. Garrett	W. H. Miller
Reuben J. Boling	Ferd A. Gnau	John B. Mollett
Douglas Bolling	Eugene Gough	W. E. Mull
Ollie J. Bowen	Ben Grogan	Rodes K. Myers
Wallace Brown	C. L. Hammons	J. C. Nickell
Jas. C. Carter	W. L. Hampton, Jr.	Russell O'Neill
V. O. Chandler	Thomas W. Hines	Mel Petry
Floyd Clark	Price Holbrook	A. W. Pfeiffer
Roscoe Claxon	Clyde S. Howard	Harry C. Records
George S. Clay	Ira W. Hulette	L. K. Rice
J. A. Coleman	John M. Hunnicut	Joe E. Robinson
Roy Conway	Ben W. Johnson	John C. Robinson
Herbert Cook	J. H. Jones	W. T. Rollo
Harry Davis	O. C. Jones	A. W. Ross
Sam Dever	J. F. Ladd	Carl Scheben
Stanley S. Dickson	Leslie Larrimore	Ray O. Shehan
George W. Dunlap	T. B. McConnell	Dr. B. F. Shields
Howard G. Early	J. L. McDermott	P. L. Sidebottom
Garland Embry	Lloyd MacDonald	Bruce Sloan
Walter R. Fannin	W. F. McGary	H. C. Steely
T. P. Fitzpatrick	Elmer McGlothen	Henry Stewart

Dr. H. S. Swope	S. J. Wagner	W. G. Williams
W. R. Tapp	Joseph L. Wall	Charles Wylie
J. J. Thomas	Henry Ward	
R. Van Bever, Jr.	L. R. Wells	

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 398. An Act establishing as part of the primary system of State highways a road from Hilltop on the Milltown and Helena Highway running to No. 32 at Pleasant Ridge, via Tea Run.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road leading from Hilltop on the Milltown and Helena Highway running to No. 32 at Pleasant Ridge, via Tea Run.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto estab-

lishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom

Bruce Sloan	J. J. Thomas	L. R. Wells
H. C. Steely	R. Van Bever, Jr.	W. G. Williams
Henry Stewart	S. J. Wagner	Charles Wylie
Dr. H. S. Swope	Joseph L. Wall	
W. R. Tapp	Henry Ward	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 399. An Act establishing as part of the primary system of State Highways a road from Flemingsburg and Fairview highway near Wayside School House, via Mt. Tabor Church, top of Still House hill, on into Nicholas County following approximately the Buchanan road to No. 32.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road leading from Flemingsburg and Fairview Highway near Wayside School House via Mt. Tabor Church, top of Still House hill, on into Nicholas County following approximately the Buchanan road to No. 32.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by

the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Garland Embry	Leslie Larrimore
W. T. Baker	Walter R. Fannin	T. B. McConnell
B. F. Bedford	T. P. Fitzpatrick	J. L. McDermott
Reuben J. Boling	H. Myer Garner	Lloyd MacDonald
Douglas Bolling	James Garnett, Jr.	W. F. McGary
Ollie J. Bowen	G. W. Garrett	Elmer McGlothen
Wallace Brown	Ferd A. Gnau	C. S. Matherly
Jas. C. Carter	Eugene Gough	G. S. Milam
V. O. Chandler	Ben Grogan	W. H. Miller
Floyd Clark	C. L. Hammons	John B. Mollett
Roscoe Claxon	W. L. Hampton, Jr.	W. E. Mull
George S. Clay	Thomas W. Hines	Rodes K. Myers
J. A. Coleman	Price Holbrook	J. C. Nickell
Roy Conway	Clyde S. Howard	Russell O'Neill
Herbert Cook	Ira W. Hulette	Mel Petry
Harry Davis	John M. Hunnicut	A. W. Pfeiffer
Sam Dever	Ben W. Johnson	Hobart Rayburn
Stanley S. Dickson	J. H. Jones	L. K. Rice
George W. Dunlap	O. C. Jones	Joe E. Robinson
Howard G. Early	J. F. Ladd	John C. Robinson

W. T. Rollo	H. C. Steely	Joseph L. Wall
A. W. Ross	Henry Stewart	Henry Ward
Carl Scheben	Dr. H. S. Swope	L. R. Wells
Ray O. Shehan	W. R. Tapp	W. G. Williams
Dr. B. F. Shields	J. J. Thomas	Charles Wylie
P. L. Sidebottom	R. Van Bever, Jr.	
Bruce Sloan	S. J. Wagner	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 400. An Act relating to roads and highways, and describing and establishing a project to be added to the primary system of state roads and highways, a road beginning in Lee County at or near a point where Big Sinking Creek intersects State Road No. 52, which point is near the Sandfield schoolhouse; thence up Big Sinking Creek to the intersection with Little Sinking Creek, and thence up Little Sinking Creek to State Road No. 11, at or near Zachariah.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. A road beginning in Lee County at or near a point where Big Sinking Creek intersects State Road No. 52, which point is near the Sandfield schoolhouse; thence up Big Sink-

ing Creek to the intersection with Little Sinking Creek and thence up Little Sinking Creek to State Road No. 11, at or near Zachariah, be and the same is hereby designated and established as part of the primary system of the state highways of the Commonwealth of Kentucky, to be known as State Primary Project No. .....

§ 2. That said road shall have and secure all the benefits of the State Primary road system under Chapter 17 of the Acts of 1920, and all amendments thereto.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Sam Dever	Price Holbrook
W. T. Baker	Stanley S. Dickson	Clyde S. Howard
B. F. Bedford	George W. Dunlap	Ira W. Hulette
Reuben J. Boling	Howard G. Early	John M. Hunnicut
Douglas Bolling	Garland Embry	Ben W. Johnson
Ollie J. Bowen	Walter R. Fannin	J. H. Jones
Wallace Brown	T. P. Fitzpatrick	O. C. Jones
Jas. C. Carter	H. Myer Garner	J. F. Ladd
V. O. Chandler	James Garnett, Jr.	Leslie Larrimore
Floyd Clark	G. W. Garrett	T. B. McConnell
Roscoe Claxon	Ferd A. Gnau	J. L. McDermott
George S. Clay	Eugene Gough	Lloyd MacDonald
J. A. Coleman	Ben Grogan	W. F. McGary
Roy Conway	C. L. Hammons	Elmer McGlothen
Herbert Cook	W. L. Hampton, Jr.	C. S. Matherly
Harry Davis	Thomas W. Hines	G. S. Milam

W. H. Miller	John C. Robinson	W. R. Tapp
John B. Mollett	W. T. Rollo	J. J. Thomas
W. E. Mull	A. W. Ross	R. Van Bever, Jr.
Rodes K. Myers	Carl Scheben	S. J. Wagner
J. C. Nickell	Ray O. Shehan	Joseph L. Wall
Russell O'Neill	Dr. B. F. Shields	Henry Ward
Mel Petry	P. L. Sidebottom	L. R. Wells
A. W. Pfeiffer	Bruce Sloan	W. G. Williams
Hobart Rayburn	H. C. Steely	Charles Wylie
L. K. Rice	Henry Stewart	
Joe E. Robinson	Dr. H. S. Swope	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 401. An Act establishing as part of the primary system of State highways a road from Flemingsburg and Fairview Highway in Ewing, following approximately the Metcalf Mill road to No. 68 near Mayslick.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road leading from Flemingsburg and Fairview Highway in Ewing, following approximately the Metcalf Mill road to No. 68, near Mayslick.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Stanley S. Dickson	Ira W. Hulette
W. T. Baker	George W. Dunlap	John M. Hunnicut
B. F. Bedford	Howard G. Early	Ben W. Johnson
Reuben J. Boling	Garland Embry	J. H. Jones
Douglas Bolling	Walter R. Fannin	O. C. Jones
Ollie J. Bowen	T. P. Fitzpatrick	J. F. Ladd
Wallace Brown	H. Myer Garner	Leslie Larrimore
Jas. C. Carter	James Garnett, Jr.	T. B. McConnell
V. O. Chandler	G. W. Garrett	J. L. McDermott
Floyd Clark	Ferd A. Gnau	Lloyd MacDonald
Roscoe Claxon	Eugene Gough	W. F. McGary
George S. Clay	Ben Grogan	Elmer McGlothen
J. A. Coleman	C. L. Hammons	C. S. Matherly
Roy Conway	W. L. Hampton, Jr.	G. S. Milam
Herbert Cook	Thomas W. Hines	W. H. Miller
Harry Davis	Price Holbrook	John B. Mollett
Sam Dever	Clyde S. Howard	W. E. Mull

Rodes K. Myers	A. W. Ross	J. J. Thomas
J. C. Nickell	Carl Scheben	R. Van Bever, Jr.
Russell O'Neill	Ray O. Shehan	S. J. Wagner
Mel Petry	Dr. B. F. Shields	Joseph L. Wall
A. W. Pfeiffer	P. L. Sidebottom	Henry Ward
Hobart Rayburn	Bruce Sloan	L. R. Wells
L. K. Rice	H. C. Steely	W. G. Williams
Joe E. Robinson	Henry Stewart	Charles Wylie
John C. Robinson	Dr. H. S. Swope	
W. T. Rollo	W. R. Tapp	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 408. An Act adding to the State Primary System of Highways a project connecting the Madisonville-Sacramento road with the Madisonville-Hanners Bridge road, Hopkins County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road project beginning at the Jim Vannoy farm on the Madisonville-Sacramento Public road No. 85, following the county road as near as practical to the Island section via Jim Dude Slaton's farm and

turning in a Northerly direction and intersecting the Madisonville-Hanners Bridge road, and near Browder's Church, Hopkins County, Kentucky, a distance of about six (6) miles.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Howard G. Early	O. C. Jones
W. T. Baker	Garland Embry	J. F. Ladd
B. F. Bedford	Walter R. Fannin	Leslie Larrimore
Reuben J. Boling	T. P. Fitzpatrick	T. B. McConnell
Douglas Bolling	H. Myer Garner	J. L. McDermott
Ollie J. Bowen	James Garnett, Jr.	Lloyd MacDonald
Wallace Brown	G. W. Garrett	W. F. McGary
Jas. C. Carter	Ferd A. Gnau	Elmer McGlothen
V. O. Chandler	Eugene Gough	C. S. Matherly
Floyd Clark	Ben Grogan	G. S. Milam
Roscoe Claxon	C. L. Hammons	W. H. Miller
George S. Clay	W. L. Hampton, Jr.	John B. Mollett
J. A. Coleman	Thomas W. Hines	W. E. Mull
Roy Conway	Price Holbrook	Rodes K. Myers
Herbert Cook	Clyde S. Howard	J. C. Nickell
Harry Davis	Ira W. Hulette	Russell O'Neill
Sam Dever	John M. Hunnicut	Mel Petry
Stanley S. Dickson	Ben W. Johnson	A. W. Pfeiffer
George W. Dunlap	J. H. Jones	Hobart Rayburn

L. K. Rice	P. L. Sidebottom	S. J. Wagner
Joe E. Robinson	Bruce Sloan	Joseph L. Wall
John C. Robinson	H. C. Steely	Henry Ward
W. T. Rollo	Henry Stewart	L. R. Wells
A. W. Ross	Dr. H. S. Swope	W. G. Williams
Carl Scheben	W. R. Tapp	Charles Wylie
Ray O. Shehan	J. J. Thomas	
Dr. B. F. Shields	R. Van Bever, Jr.	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 409. An Act adding to the State Primary System of Highways a project connecting the Dawson Springs-Providence Road, State Project No. 124-366, and the Madisonville-Princeton Road, State Project No. 317-417, via Dixon Inglis's farm, Hopkins County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road beginning at Charleston, Hopkins County, Kentucky, on the Dawson Springs-Providence Road, State Project No. 124-366, and running via Dixon Inglis's farm and the Herb Ligon farm and the Yellow Schoolhouse near Olney and Kirkwood Springs, and intersect-

ing the Madisonville-Princeton road near George Neisz's blacksmith shop following the county road as near as practical, in Hopkins County, Kentucky, a distance of about ten (10) miles.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth. now in force or hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	George W. Dunlap	Ben W. Johnson
W. T. Baker	Howard G. Early	J. H. Jones
B. F. Bedford	Garland Embry	O. C. Jones
Reuben J. Boling	Walter R. Fannin	J. F. Ladd
Douglas Bolling	T. P. Fitzpatrick	Leslie Larrimore
Ollie J. Bowen	H. Myer Garner	T. B. McConnell
Wallace Brown	James Garnett, Jr.	J. L. McDermott
Jas. C. Carter	G. W. Garrett	Lloyd MacDonald
V. O. Chandler	Ferd A. Gnau	W. F. McGary
Floyd Clark	Eugene Gough	Elmer McGlothen
Roscoe Claxon	Ben Grogan	C. S. Matherly
George S. Clay	C. L. Hammons	G. S. Milam
J. A. Coleman	W. L. Hampton, Jr.	W. H. Miller
Roy Conway	Thomas W. Hines	John B. Mollett
Herbert Cook	Price Holbrook	W. E. Mull
Harry Davis	Clyde S. Howard	Rodes K. Myers
Sam Dever	Ira W. Hulette	J. C. Nickell
Stanley S. Dickson	John M. Hunnicut	Russell O'Neill

Mel Petry	Ray O. Shehan	R. Van Bever, Jr.
A. W. Pfeiffer	Dr. B. F. Shields	S. J. Wagner
Hobart Rayburn	P. L. Sidebottom	Joseph L. Wall
L. K. Rice	Bruce Sloan	Henry Ward
Joe E. Robinson	H. C. Steely	L. R. Wells
John C. Robinson	Henry Stewart	W. G. Williams
W. T. Rollo	Dr. H. S. Swope	Charles Wylie
A. W. Ross	W. R. Tapp	
Carl Scheben	J. J. Thomas	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 416. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky a road in Johnson County, Kentucky, known as the Paint Creek road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the Primary System of public roads of the Commonwealth of Kentucky, a road, beginning at the Mayo Trail at the Barnetts Creek bridge and following Big Paint Creek to the head of same to the county line by way of the old road. To be known as Project No. .....

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Walter R. Fannin	J. L. McDermott
W. T. Baker	T. P. Fitzpatrick	Lloyd MacDonald
B. F. Bedford	H. Myer Garner	W. F. McGary
Reuben J. Boling	James Garnett, Jr.	Elmer McGlothen
Douglas Bolling	G. W. Garrett	C. S. Matherly
Ollie J. Bowen	Ferd A. Gnau	G. S. Milam
Wallace Brown	Eugene Gough	W. H. Miller
Jas. C. Carter	Ben Grogan	John B. Mollett
V. O. Chandler	C. L. Hammons	W. E. Mull
Floyd Clark	W. L. Hampton, Jr.	Rodes K. Myers
Roscoe Claxon	Thomas W. Hines	J. C. Nickell
George S. Clay	Price Holbrook	Russell O'Neill
J. A. Coleman	Clyde S. Howard	Mel Petry
Roy Conway	Ira W. Hulette	A. W. Pfeiffer
Herbert Cook	John M. Hunnicut	Hobart Rayburn
Harry Davis	Ben W. Johnson	L. K. Rice
Sam Dever	J. H. Jones	Joe E. Robinson
Stanley S. Dickson	O. C. Jones	John C. Robinson
George W. Dunlap	J. F. Ladd	W. T. Rollo
Howard G. Early	Leslie Larrimore	A. W. Ross
Garland Embry	T. B. McConnell	Carl Scheben

Ray O. Shehan	Dr. H. S. Swope	Henry Ward	
Dr. B. F. Shields	W. R. Tapp	L. R. Wells	
P. L. Sidebottom	J. J. Thomas	W. G. Williams	
Bruce Sloan	R. Van Bever, Jr.	Charles Wylie	
H. C. Steely	S. J. Wagner		
Henry Stewart	Joseph L. Wall		—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agree to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 417. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky a road in Johnson County, Kentucky, known as the White House road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the Primary System of public roads of the Commonwealth of Kentucky, a road beginning on top of the hill on the Garrett Highway at the head of Lick Creek and following the old road down White House Creek to the mouth at the river, thence, up the river to White House town.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as

set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	H. Myer Garner	C. S. Matherly
W. T. Baker	James Garnett, Jr.	G. S. Milam
B. F. Bedford	G. W. Garrett	W. H. Miller
Reuben J. Boling	Ferd A. Gnau	John B. Mollett
Douglas Bolling	Eugene Gough	W. E. Mull
Ollie J. Bowen	Ben Grogan	Rodes K. Myers
Wallace Brown	C. L. Hammons	J. C. Nickell
Jas. C. Carter	W. L. Hampton, Jr.	Russell O'Neill
V. O. Chandler	Thomas W. Hines	Mel Petry
Floyd Clark	Price Holbrook	A. W. Pfeiffer
Roscoe Claxon	Clyde S. Howard	Hobart Rayburn
George S. Clay	Ira W. Hulette	L. K. Rice
J. A. Coleman	John M. Hunnicut	Joe E. Robinson
Roy Conway	Ben W. Johnson	John C. Robinson
Herbert Cook	J. H. Jones	W. T. Rollo
Harry Davis	O. C. Jones	A. W. Ross
Sam Dever	J. F. Ladd	Carl Scheben
Stanley S. Dickson	Leslie Larrimore	Ray O. Shehan
George W. Dunlap	T. B. McConnell	Dr. B. F. Shields
Howard G. Early	J. L. McDermott	P. L. Sidebottom
Garland Embry	Lloyd MacDonald	Bruce Sloan
Walter R. Fannin	W. F. McGary	H. C. Steely
T. P. Fitzpatrick	Elmer McGlothen	Henry Stewart

Dr. H. S. Swope	S. J. Wagner	W. G. Williams	
W. R. Tapp	Joseph L. Wall	Charles Wylie	
J. J. Thomas	Henry Ward		
R. Van Bever, Jr.	L. R. Wells		—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agree to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 418. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky a road in Martin County, Kentucky, known as the Rock House road.

Said bill is as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the Primary System of public roads of the Commonwealth of Kentucky, a road, beginning at the Garrett Highway where it crosses Rock House Creek near Grover Cline's farm, thence, down Rock House Creek by way of old road to the county line near Richardson.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920 establishing and creating a primary system of State highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agree to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 419. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky a road in Martin County, Kentucky, known as the Upper Middle Fork road.

Said bill is as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the Primary System of public roads of the Commonwealth of Kentucky, a road beginning at Inez, Martin County, Kentucky, at the Garrett Highway and following the Middle Fork of Rock Castle Creek up to head of same to the Floyd County line.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agree to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 420. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky a road in Johnson County, Kentucky, known as the Greasy and John's Creek road.

Said bill is as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the Primary System of public roads of the Commonwealth of Kentucky a road, beginning at the Garrett Highway at the mouth of Lick Branch, Johnson County, Kentucky, thence, up Greasy Creek to the head, thence, across hill to Daniel's Creek, thence, down Creek to mouth of John's Creek, thence, down John's Creek to the Richmond Hill, thence across Richmond Hill to Miller's Creek, thence, down Miller's Creek to mouth at the river, thence across river and down same to intersect with the Mayo Trail at Van Lear Junction.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agree to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 421. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky, a road in Martin County, Kentucky, known as the Lower Middle Fork road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of public roads of the Commonwealth of Kentucky, a road, beginning at Inez, Kentucky, Martin County, at the Garrett Highway following the Middle Fork of Rock Castle Creek down to the mouth of same to the county line.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 422. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky a road in Martin County, Kentucky, known as the Wolf Creek road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of public roads of the Commonwealth of Kentucky, a road, beginning at the bridge where it crosses Tug River on the Garrett Highway opposite Kermit, W. Va., thence, up the river to the mouth of Wolf Creek, thence up Wolfe Creek to the head and on to the county line.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	B. F. Bedford	Douglas Bolling
W. T. Baker	Reuben J. Boling	Ollie J. Bowen

Wallace Brown	Thomas W. Hines	Hobart Rayburn
Jas. C. Carter	Price Holbrook	L. K. Rice
V. O. Chandler	Clyde S. Howard	Joe E. Robinson
Floyd Clark	Ira W. Hulette	John C. Robinson
Roscoe Claxon	John M. Hunnicut	W. T. Rollo
George S. Clay	Ben W. Johnson	A. W. Ross
J. A. Coleman	J. H. Jones	Carl Scheben
Roy Conway	O. C. Jones	Ray O. Shehan
Herbert Cook	J. F. Ladd	Dr. B. F. Shields
Harry Davis	Leslie Larrimore	P. L. Sidebottom
Sam Dever	T. B. McConnell	Bruce Sloan
Stanley S. Dickson	J. L. McDermott	H. C. Steely
George W. Dunlap	Lloyd MacDonald	Henry Stewart
Howard G. Early	W. F. McGary	Dr. H. S. Swope
Garland Embry	Elmer McGlothen	W. R. Tapp
Walter R. Fannin	C. S. Matherly	J. J. Thomas
T. P. Fitzpatrick	G. S. Milam	R. Van Bever, Jr.
H. Myer Garner	W. H. Miller	S. J. Wagner
James Garnett, Jr.	John B. Mollett	Joseph L. Wall
G. W. Garrett	W. E. Mull	Henry Ward
Ferd A. Gnau	Rodes K. Myers	L. R. Wells
Eugene Gough	J. C. Nickell	W. G. Williams
Ben Grogan	Russell O'Neill	Charles Wylie
C. L. Hammons	Mel Petry	
W. L. Hampton, Jr.	A. W. Pfeiffer	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 423. An Act establishing a road of the primary system of the State Highways a road beginning near Hager Hill on the Mayo Trail in Johnson County, Kentucky, known as the Jennie's Creek road to the mouth of Middle Fork of Jennie's Creek, thence up same to the head, thence across to main Jennie's Creek, and up same to head and on to the county line to intersect with roads in Magoffin County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road beginning near Hager Hill on the Mayo Trail in Johnson County, Kentucky, known as the Jennie's Creek road, to the mouth of Middle Fork of Jennie's Creek, thence, up same to the head, thence, across to main Jennie's Creek, and up same to head and on to the county line to intersect with road in Magoffin County, Kentucky.

That the construction, maintenance, supervision and control of said road shall be subject to and controlled by provisions of Chapter 17, of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 429. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky, a road begining at a point near Morehead Schoolhouse in Muhlenberg County, Kentucky, and running to Bethel Church and intersecting the old Greenville-Bremen road at that point, being approximately three miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point near Morehead Schoolhouse in Muhlenberg County, Kentucky, and running to Bethel Church and intersecting the old Greenville-Bremen road at that point, being approximately three miles.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission, and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 430. An Act creating as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway No. 62 at or near John Coleman's property in Muhlenberg County, Kentucky, and running to a point on the Bancroft-Hopkinsville road at or near the Will Gary place in Muhlenberg County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway No. 62 at or near the John Coleman property in Muhlenberg County, Kentucky, and running to a point on the Bancroft-Hopkinsville road at or near the Will Gary place in Muhlenberg County, Kentucky.

§ 2. The road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission, and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 431. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point near Thomas's Store in Muhlenberg County, Kentucky, and running along the Sacramento–White Plains road to a point where the Sacramento–White Plains road now intersects the Madisonville–Central City highway in Muhlenberg County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point near Thomas's Store in Muhlenberg County, Kentucky, and running along the Sacramento–White Plains road to a point where the Sacramento–White Plains road now intersects the Madisonville–Central City highway in Muhlenberg County, Kentucky.

§ 2. That the road now established as part of the primary system of highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission, and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 432. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway No. 79, in Muhlenberg County, Kentucky, near Woodland Church and running by way of Myers Chapel and Schoolhouse to a point on Highway No. 81 in Muhlenberg County, Kentucky, at Dunmor, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at a point on Highway No. 79 in Muhlenberg County, Kentucky, near Woodland Church and running by the way of Myers Chapel and schoolhouse to a point on Highway No. 81 in Muhlenberg County, Kentucky, at Dunmor.

§ 2. That the road now established as part of the primary system of highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission, and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 433. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway No. 62 at H. W. Oates's Store in Muhlenberg County, Kentucky, running by way of Thomas's Store, thence to a point on the Central City–Madisonville highway at a point near Frank Martin's farm.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway No. 62 at G. W. Oates's Store in Muhlenberg County, Kentucky, running by way of Thomas's Store, thence to a point on the Central City–Madisonville highway at a point near Frank Martin's farm, approximately six miles.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission, and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley
Chester D. Silvers

—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 434. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point near Weir on Highway No. 181 in Muhlenberg County, Kentucky, and running to or near the old Buckner homestead, thence intersecting Highway No. 79 at or near Carter's Creek Church, thence from Carter's Creek Church to Beech Creek in Muhlenberg County, Kentucky, and intersecting the Beech Creek–Ebenezer road Project 406, and shall be designated as the "Buckner–Buel Highway."

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point near Wier on Highway No. 181 in Muhlenberg County, Kentucky, and running to or near the old Buckner homestead, thence intersecting Highway No. 79 at or near Carter's Creek Church, thence to Beech Creek in Muhlenberg County, Kentucky, and intersecting the Beech Creek–Ebenezer road, Project 406; and that said road shall be designated as the "Buckner–Buel Highway."

§ 2. The road now established as part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits and conditions

of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	James Garnett, Jr.	W. H. Miller
W. T. Baker	G. W. Garrett	John B. Mollett
B. F. Bedford	Ferd A. Gnau	W. E. Mull
Reuben J. Boling	Eugene Gough	Rodes K. Myers
Douglas Bolling	Ben Grogan	J. C. Nickell
Ollie J. Bowen	C. L. Hammons	Russell O'Neill
Wallace Brown	W. L. Hampton, Jr.	Mel Petry
Jas. C. Carter	Thomas W. Hines	A. W. Pfeiffer
V. O. Chandler	Price Holbrook	Hobart Rayburn
Floyd Clark	Clyde S. Howard	L. K. Rice
Roscoe Claxon	Ira W. Hulette	Joe E. Robinson
George S. Clay	John M. Hunnicut	John C. Robinson
J. A. Coleman	Ben W. Johnson	W. T. Rollo
Roy Conway	J. H. Jones	A. W. Ross
Herbert Cook	O. C. Jones	Carl Scheben
Harry Davis	J. F. Ladd	Ray O. Shehan
Sam Dever	Leslie Larrimore	Dr. B. F. Shields
Stanley S. Dickson	T. B. McConnell	P. L. Sidebottom
George W. Dunlap	J. L. McDermott	Bruce Sloan
Howard G. Early	Lloyd MacDonald	H. C. Steely
Garland Embry	W. F. McGary	Henry Stewart
Walter R. Fannin	Elmer McGlothen	Dr. H. S. Swope
T. P. Fitzpatrick	C. S. Matherly	W. R. Tapp
H. Myer Garner	G. S. Milam	J. J. Thomas

R. Van Bever, Jr.	Henry Ward	Charles Wylie	
S. J. Wagner	L. R. Wells		
Joseph L. Wall	W. G. Williams		—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 438. An Act relating to the state primary system of highways in the Commonwealth of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the state highways of the Commonwealth of Kentucky a road beginning at a point on U. S. Highway 60 between Morganfield and Flournoy at a point at or near Higginson's Crossing, continuing to and across the Waverly and Boxville road at or near Liberty church and thence to a point on the road from Herman to Russell's store.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnaú	Russell O'Neill	

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 455. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Crayne in Crittenden County, Kentucky, on Highway No. 91. and extending in a Southwestern direction by way of Clement Cemetery, J. I. Clement Farm, Henry Wheeler and Son Farm, County Pond, and through nine mining districts (Flourspar mines), a few as follows: Rider Mines, Hodge Mines, Susie Bealer, Brown Mines, Riley, and many others, and passing by or near fifteen dairy farms in Crittenden County by way of Emmaus Church and Cemetery, Shelby Store and Hodge Cave to Salem, in Livingston County, on U. S. 60, a distance of ten miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Crayne in Crittenden County, Kentucky, on Highway No. 91, and extending in a Southwestern direction by way of Clement Cemetery, J. I. Clement Farm, Henry Wheeler and Son Farm, County Pond, and through nine mining districts (Fluorspar mines), a few

as follows: Rider Mines, Hodge Mines, Susie Bealer, Brown Mines, Riley, and many others, and passing by or near fifteen dairy farms in Crittenden County by way of Emmaus Church and Cemetery, Shelby Store and Hodge Cave to Salem, in Livingston County, on U. S. 60, a distance of ten miles.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Harry Davis	W. L. Hampton, Jr.
W. T. Baker	Sam Dever	Thomas W. Hines
B. F. Bedford	Stanley S. Dickson	Price Holbrook
Reuben J. Boling	George W. Dunlap	Clyde S. Howard
Douglas Bolling	Howard G. Early	Ira W. Hulette
Ollie J. Bowen	Garland Embry	John M. Hunnicut
Wallace Brown	Walter R. Fannin	Ben W. Johnson
Jas. C. Carter	T. P. Fitzpatrick	J. H. Jones
V. O. Chandler	H. Myer Garner	O. C. Jones
Floyd Clark	James Garnett, Jr.	J. F. Ladd
Roscoe Claxon	G. W. Garrett	Leslie Larrimore
George S. Clay	Ferd A. Gnau	T. B. McConnell
J. A. Coleman	Eugene Gough	J. L. McDermott
Roy Conway	Ben Grogan	Lloyd MacDonald
Herbert Cook	C. L. Hammons	W. F. McGary

Elmer McGlothen	L. K. Rice	Dr. H. S. Swope
C. S. Matherly	Joe E. Robinson	W. R. Tapp
G. S. Milam	John C. Robinson	J. J. Thomas
W. H. Miller	W. T. Rollo	R. Van Bever, Jr.
John B. Mollett	A. W. Ross	S. J. Wagner
W. E. Mull	Carl Scheben	Joseph L. Wall
Rodes K. Myers	Ray O. Shehan	Henry Ward
J. C. Nickell	Dr. B. F. Shields	L. R. Wells
Russell O'Neill	P. L. Sidebottom	W. G. Williams
Mel Petry	Bruce Sloan	Charles Wylie
A. W. Pfeiffer	H. C. Steely	
Hobart Rayburn	Henry Stewart	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 546. An Act relating to the primary system of roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary road system of the Commonwealth of Kentucky a road beginning at State Highway No. 37, in Trimble County, Kentucky; thence by way of Lee Port and Corn Creek Church; and thence back to the State Highway No. 37, in Trimble County, Kentucky.

The construction, maintenance and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided herein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Walter R. Fannin	J. L. McDermott
W. T. Baker	T. P. Fitzpatrick	Lloyd MacDonald
B. F. Bedford	H. Myer Garner	W. F. McGary
Reuben J. Boling	James Garnett, Jr.	Elmer McGlothen
Douglas Bolling	G. W. Garrett	C. S. Matherly
Ollie J. Bowen	Ferd A. Gnau	G. S. Milam
Wallace Brown	Eugene Gough	W. H. Miller
Jas. C. Carter	Ben Grogan	John B. Mollett
V. O. Chandler	C. L. Hammons	W. E. Mull
Floyd Clark	W. L. Hampton, Jr.	Rodes K. Myers
Roscoe Claxon	Thomas W. Hines	J. C. Nickell
George S. Clay	Price Holbrook	Russell O'Neill
J. A. Coleman	Clyde S. Howard	Mel Petry
Roy Conway	Ira W. Hulette	A. W. Pfeiffer
Herbert Cook	John M. Hunnicut	Hobart Rayburn
Harry Davis	Ben W. Johnson	L. K. Rice
Sam Dever	J. H. Jones	Joe E. Robinson
Stanley S. Dickson	O. C. Jones	John C. Robinson
George W. Dunlap	J. F. Ladd	W. T. Rollo
Howard G. Early	Leslie Larrimore	A. W. Ross
Garland Embry	T. B. McConnell	Carl Scheben

Ray O. Shehan	Dr. H. S. Swope	Henry Ward
Dr. B. F. Shields	W. R. Tapp	L. R. Wells
P. L. Sidebottom	J. J. Thomas	W. G. Williams
Bruce Sloan	R. Van Bever, Jr.	Charles Wylie
H. C. Steely	S. J. Wagner	
Henry Stewart	Joseph L. Wall	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 457. An Act to add to the primary road system a certain road in Nicholas County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby added to the Primary Road System of Kentucky a certain road in Nicholas County, Kentucky, and more fully described as follows:

Beginning at a point at or near Blue Lick and extending to Pleasant Valley, a distance of about six miles, and generally known as the Licking Pike.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 as amended to the same effect as if said road had been

named in the original Act as one of the projects of the primary system of state highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	James Garnett, Jr.	W. H. Miller
W. T. Baker	G. W. Garrett	John B. Mollett
B. F. Bedford	Ferd A. Gnau	W. E. Mull
Reuben J. Boling	Eugene Gough	Rodes K. Myers
Douglas Bolling	Ben Grogan	J. C. Nickell
Ollie J. Bowen	C. L. Hammons	Russell O'Neill
Wallace Brown	W. L. Hampton, Jr.	Mel Petry
Jas. C. Carter	Thomas W. Hines	A. W. Pfeiffer
V. O. Chandler	Price Holbrook	Hobart Rayburn
Floyd Clark	Clyde S. Howard	L. K. Rice
Roscoe Claxon	Ira W. Hulette	Joe E. Robinson
George S. Clay	John M. Hunnicut	John C. Robinson
J. A. Coleman	Ben W. Johnson	W. T. Rollo
Roy Conway	J. H. Jones	A. W. Ross
Herbert Cook	O. C. Jones	Carl Scheben
Harry Davis	J. F. Ladd	Ray O. Shehan
Sam Dever	Leslie Larrimore	Dr. B. F. Shields
Stanley S. Dickson	T. B. McConnell	P. L. Sidebottom
George W. Dunlap	J. L. McDermott	Bruce Sloan
Howard G. Early	Lloyd MacDonald	H. C. Steely
Garland Embry	W. F. McGary	Henry Stewart
Walter R. Fannin	Elmer McGlothen	Dr. H. S. Swope
T. P. Fitzpatrick	C. S. Matherly	W. R. Tapp
H. Myer Garner	G. S. Milam	J. J. Thomas

R. Van Bever, Jr. Henry Ward Charles Wylie
S. J. Wagner L. R. Wells
Joseph L. Wall W. G. Williams —79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 458. An Act to place in the state primary road system a road in Owen County, intersecting with State Road No. 35, leading from Owenton to Sparta, about two miles north of Owenton at the J. W. Agee farm and running with the old New Liberty and Owenton road as near as practicable in a northwestern direction to intersect Federal road No. 227 near the town of New Liberty, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the old New Liberty and Owenton road, intersecting with State Road No. 35, leading from Owenton, Ky., to Sparta, Ky., about two miles North of Owenton at the J. W. Agee farm and running in a Northwestern direction, intersecting with Federal Road No. 227 near the town of New Liberty, Kentucky, following the old New Liberty and Owenton road as nearly as practicable, be placed in the State Primary Road System.

§ 2. That said road when placed in the primary system shall be entitled to all the benefits and rights provided for roads in the State Primary System as provided by law.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	H. Myer Garner	C. S. Matherly
W. T. Baker	James Garnett, Jr.	G. S. Milam
B. F. Bedford	G. W. Garrett	W. H. Miller
Reuben J. Boling	Ferd A. Gnau	John B. Mollett
Douglas Bolling	Eugene Gough	W. E. Mull
Ollie J. Bowen	Ben Grogan	Rodes K. Myers
Wallace Brown	C. L. Hammons	J. C. Nickell
Jas. C. Carter	W. L. Hampton, Jr.	Russell O'Neill
V. O. Chandler	Thomas W. Hines	Mel Petry
Floyd Clark	Price Holbrook	A. W. Pfeiffer
Roscoe Claxon	Clyde S. Howard	Hobart Rayburn
George S. Clay	Ira W. Hulette	L. K. Rice
J. A. Coleman	John M. Hunnicut	Joe E. Robinson
Roy Conway	Ben W. Johnson	John C. Robinson
Herbert Cook	J. H. Jones	W. T. Rollo
Harry Davis	O. C. Jones	A. W. Ross
Sam Dever	J. F. Ladd	Carl Scheben
Stanley S. Dickson	Leslie Larrimore	Ray O. Shehan
George W. Dunlap	T. B. McConnell	Dr. B. F. Shields
Howard G. Early	J. L. McDermott	P. L. Sidebottom
Garland Embry	Lloyd MacDonald	Bruce Sloan
Walter R. Fannin	W. F. McGary	H. C. Steely
T. P. Fitzpatrick	Elmer McGlothen	Henry Stewart

Dr. H. S. Swope	S. J. Wagner	W. G. Williams
W. R. Tapp	Joseph L. Wall	Charles Wylie
J. J. Thomas	Henry Ward	
R. Van Bever, Jr.	L. R. Wells	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 459. An Act to place in the State Primary Road System a road in Owen County, intersecting with State Road No. 35, leading from Owenton to Sparta, about three and one-half miles north of Owenton at the R. W. Orr farm and running in an eastward direction past the farm of W. E. King and Pleasant Ridge Baptist Church to Taft Memorial Highway at Sweet Owen, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road in Owen County, Kentucky, intersecting with State Road No. 35 leading from Owenton to Sparta, about three and one-half miles North of Owenton at the R. W. Orr farm and running in an Eastward direction by the farm of W. E. King at Pleasant Ridge Baptist Church, and intersecting with Taft Memorial Highway at Sweet Owen, Kentucky, be placed in the State Primary Road System.

§ 2. That said road when placed in the Primary System shall be entitled to all the benefits and rights provided for roads in the State Primary System as now provided by law.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agree to.

The House toop up for consideration from the Orders of the Day, a bill entitled:

H. B. 460. An Act creating and establishing as part of the primary system of Highways of the Commonwealth of Kentucky a road leading from Solway in Hardin County to Constantine in Breckinridge County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road leading from Solway in Hardin County to Constantine in Breckinridge County.

This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agree to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 461. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road from Ira Davis' store across Bear Creek, up Otter Creek via Stoney Point School House and intersect the State Road No. 61 a short distance north of Kettle Post Office.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road from Ira Davis's store across Bear Creek up Otter Creek via Stoney Point School House and intersect the State Road No. 61 a short distance north of Kettle Post Office.

This road thus established to be entitled to receive all benefits of such laws as are now or may be hereafter in effect relating to the primary system of roads and highways of the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 462. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road from Charlie Booker's place on Burkesville-Columbia Road to top of Goose Creek Hill via Scott's Ferry, W. L. Bybees place, Finis Williams place and J. G. Cash place.

Said bill is as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road from Charlie Booker's place on Burkesville-Columbia road to top of Goose Creek Hill via Scott's Ferry, W. L. Bybees place, Finis Williams place and J. G. Cash place.

This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Reuben J. Boling	Wallace Brown
W. T. Baker	Douglas Bolling	Jas. C. Carter
B. F. Bedford	Ollie J. Bowen	V. O. Chandler

Floyd Clark	Clyde S. Howard	L. K. Rice
Roscoe Claxon	Ira W. Hulette	Joe E. Robinson
George S. Clay	John M. Hunnicut	John C. Robinson
J. A. Coleman	Ben W. Johnson	W. T. Rollo
Roy Conway	J. H. Jones	A. W. Ross
Herbert Cook	O. C. Jones	Carl Scheben
Harry Davis	J. F. Ladd	Ray O. Shehan
Sam Dever	Leslie Larrimore	Dr. B. F. Shields
Stanley S. Dickson	T. B. McConnell	P. L. Sidebottom
George W. Dunlap	J. L. McDermott	Bruce Sloan
Howard G. Early	Lloyd MacDonald	H. C. Steely
Garland Embry	W. F. McGary	Henry Stewart
Walter R. Fannin	Elmer McGlothen	Dr. H. S. Swope
T. P. Fitzpatrick	C. S. Matherly	W. R. Tapp
H. Myer Garner	G. S. Milam	J. J. Thomas
James Garnett, Jr.	W. H. Miller	R. Van Bever, Jr.
G. W. Garrett	John B. Mollett	S. J. Wagner
Ferd A. Gnau	W. E. Mull	Joseph L. Wall
Eugene Gough	Rodes K. Myers	Henry Ward
Ben Grogan	J. C. Nickell	L. R. Wells
C. L. Hammons	Russell O'Neill	W. G. Williams
W. L. Hampton, Jr.	Mel Petry	Charles Wylie
Thomas W. Hines	A. W. Pfeiffer	
Price Holbrook	Hobart Rayburn	—79

Those who voted in the affirmative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 463. An Act establishing a road from Sanders to Glencoe in Carroll and Gallatin counties as a part of the primary system of State highways and to be known as project No. 1000.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road from Sanders in Carroll County, Kentucky, via Sparta to Glencoe in Gallatin County, Kentucky, to be known as Project No. 1000.

§ 2. That said road when placed in the Primary System shall be entitled to all the benefits and rights provided for roads in the State Primary System as now provided by law.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Floyd Clark	George W. Dunlap
W. T. Baker	Roscoe Claxon	Howard G. Early
B. F. Bedford	George S. Clay	Garland Embry
Reuben J. Boling	J. A. Coleman	Walter R. Fannin
Douglas Bolling	Roy Conway	T. P. Fitzpatrick
Ollie J. Bowen	Herbert Cook	H. Myer Garner
Wallace Brown	Harry Davis	James Garnett, Jr.
Jas. C. Carter	Sam Dever	G. W. Garrett
V. O. Chandler	Stanley S. Dickson	Ferd A. Gnau

Eugene Gough	Elmer McGlothen	Ray O. Shehan
Ben Grogan	C. S. Matherly	Dr. B. F. Shields
C. L. Hammons	G. S. Milam	P. L. Sidebottom
W. L. Hampton, Jr.	W. H. Miller	Bruce Sloan
Thomas W. Hines	John B. Mollett	H. C. Steely
Price Holbrook	W. E. Mull	Henry Stewart
Clyde S. Howard	Rodes K. Myers	Dr. H. S. Swope
Ira W. Hulette	J. C. Nickell	W. R. Tapp
John M. Hunnicut	Russell O'Neill	J. J. Thomas
Ben W. Johnson	Mel Petry	R. Van Bever, Jr.
J. H. Jones	A. W. Pfeiffer	S. J. Wagner
O. C. Jones	Hobart Rayburn	Joseph L. Wall
J. F. Ladd	L. K. Rice	Henry Ward
Leslie Larrimore	Joe E. Robinson	L. R. Wells
T. B. McConnell	John C. Robinson	W. G. Williams
J. L. McDermott	W. T. Rollo	Charles Wylie
Lloyd MacDonald	A. W. Ross	
W. F. McGary	Carl Scheben	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 464. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the junction of the State Highway between Beattyville to Irvine and the Bellepoint county road; thence running from said point to Bellepoint postoffice; thence running up the Main Contrary Creek to the left hand,

or north fork of same, and running to and by what is known as the Catholic School so as to intersect with county road leading from Heidelberg to the State Highway, near the top of Hatton Hollow hill on said Highway.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the junction of the State Highway between Beattyville to Irvine and the Bellepoint county road; thence running from said point to Bellepoint postoffice; thence running up the Main Contrary Creek to the left hand, or north fork of same, and running to and by what is known as the Catholic School so as to intersect with county road leading from Heidelberg to the State Highway, near the top of Hatton Hollow hill on said Highway.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker W. T. Baker B. F. Bedford

Reuben J. Boling	C. L. Hammons	A. W. Pfeiffer
Douglas Bolling	W. L. Hampton, Jr.	Hobart Rayburn
Ollie J. Bowen	Thomas W. Hines	L. K. Rice
Wallace Brown	Price Holbrook	Joe E. Robinson
Jas. C. Carter	Clyde S. Howard	John C. Robinson
V. O. Chandler	Ira W. Hulette	W. T. Rollo
Floyd Clark	John M. Hunnicut	A. W. Ross
Roscoe Claxon	Ben W. Johnson	Carl Scheben
George S. Clay	J. H. Jones	Ray O. Shehan
J. A. Coleman	O. C. Jones	Dr. B. F. Shields
Roy Conway	J. F. Ladd	P. L. Sidebottom
Herbert Cook	Leslie Larrimore	Bruce Sloan
Harry Davis	T. B. McConnell	H. C. Steely
Sam Dever	J. L. McDermott	Henry Stewart
Stanley S. Dickson	Lloyd MacDonald	Dr. H. S. Swope
George W. Dunlap	W. F. McGary	W. R. Tapp
Howard G. Early	Elmer McGlothen	J. J. Thomas
Garland Embry	C. S. Matherly	R. Van Bever, Jr.
Walter R. Fannin	G. S. Milam	S. J. Wagner
T. P. Fitzpatrick	W. H. Miller	Joseph L. Wall
H. Myer Garner	John B. Mollett	Henry Ward
James Garnett, Jr.	W. E. Mull	L. R. Wells
G. W. Garrett	Rodes K. Myers	W. G. Williams
Ferd A. Gnau	J. C. Nickell	Charles Wylie
Eugene Gough	Russell O'Neill	
Ben Grogan	Mel Petry	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 465. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky, a road in Edmonson County known as the Bee Spring and Sunfish road via Lashley Ford.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is established as a part of the primary system of public roads of the Commonwealth of Kentucky, a road beginning at Sunfish, via Lashley Ford to Bee Spring, a distance of approximately seven miles.

To be entitled to all privileges and benefits governing the Primary System of Public roads of the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Roscoe Claxon	Garland Embry
W. T. Baker	George S. Clay	Walter R. Fannin
B. F. Bedford	J. A. Coleman	T. P. Fitzpatrick
Reuben J. Boling	Roy Conway	H. Myer Garner
Douglas Bolling	Herbert Cook	James Garnett, Jr.
Ollie J. Bowen	Harry Davis	G. W. Garrett
Wallace Brown	Sam Dever	Ferd A. Gnau
Jas. C. Carter	Stanley S. Dickson	Eugene Gough
V. O. Chandler	George W. Dunlap	Ben Grogan
Floyd Clark	Howard G. Early	C. L. Hammons

W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley
Chester D. Silvers

—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 466. An Act establishing as a part of the primary system of public roads of the Commonwealth of Kentucky, a road in Edmonson County, known as the Sunfish High School road, via Judge Woosley farm to Round Hill-Caneyville Highway.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is established as a part of the primary system of public roads of the Commonwealth of Kentucky, a road beginning at Sunfish High School, via Judge Woosley farm to Round Hill-Caneyville road.

To be entitled to all privileges and benefits governing the Primary System of Public roads of the Commonwealth of Kentucky

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Sam Dever	Price Holbrook
W. T. Baker	Stanley S. Dickson	Clyde S. Howard
B. F. Bedford	George W. Dunlap	Ira W. Hulette
Reuben J. Boling	Howard G. Early	John M. Hunnicut
Douglas Bolling	Garland Embry	Ben W. Johnson
Ollie J. Bowen	Walter R. Fannin	J. H. Jones
Wallace Brown	T. P. Fitzpatrick	O. C. Jones
Jas. C. Carter	H. Myer Garner	J. F. Ladd
V. O. Chandler	James Garnett, Jr.	Leslie Larrimore
Floyd Clark	G. W. Garrett	T. B. McConnell
Roscoe Claxon	Ferd A. Gnau	J. L. McDermott
George S. Clay	Eugene Gough	Lloyd MacDonald
J. A. Coleman	Ben Grogan	W. F. McGary
Roy Conway	C. L. Hammons	Elmer McGlothen
Herbert Cook	W. L. Hampton, Jr.	C. S. Matherly
Harry Davis	Thomas W. Hines	G. S. Milam

W. H. Miller	John C. Robinson	W. R. Tapp
John B. Mollett	W. T. Rollo	J. J. Thomas
W. E. Mull	A. W. Ross	R. Van Bever, Jr.
Rodes K. Myers	Carl Scheben	S. J. Wagner
J. C. Nickell	Ray O. Shehan	Joseph L. Wall
Russell O'Neill	Dr. B. F. Shields	Henry Ward
Mel Petry	P. L. Sidebottom	L. R. Wells
A. W. Pfeiffer	Bruce Sloan	W. G. Williams
Hobart Rayburn	H. C. Steely	Charles Wylie
L. K. Rice	Henry Stewart	
Joe E. Robinson	Dr. H. S. Swope	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 467. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Marion County line near Arvin's Cemetery, via Willowtown to Saloma in Taylor County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Marion County line near

Arvin's Cemetery, via Willowtown to Saloma in Taylor County, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Howard G. Early	O. C. Jones
W. T. Baker	Garland Embry	J. F. Ladd
B. F. Bedford	Walter R. Fannin	Leslie Larrimore
Reuben J. Boling	T. P. Fitzpatrick	T. B. McConnell
Douglas Bolling	H. Myer Garner	J. L. McDermott
Ollie J. Bowen	James Garnett, Jr.	Lloyd MacDonald
Wallace Brown	G. W. Garrett	W. F. McGary
Jas. C. Carter	Ferd A. Gnau	Elmer McGlothen
V. O. Chandler	Eugene Gough	C. S. Matherly
Floyd Clark	Ben Grogan	G. S. Milam
Roscoe Claxon	C. L. Hammons	W. H. Miller
George S. Clay	W. L. Hampton, Jr.	John B. Mollett
J. A. Coleman	Thomas W. Hines	W. E. Mull
Roy Conway	Price Holbrook	Rodes K. Myers
Herbert Cook	Clyde S. Howard	J. C. Nickell
Harry Davis	Ira W. Hulette	Russell O'Neill
Sam Dever	John M. Hunnicut	Mel Petry
Stanley S. Dickson	Ben W. Johnson	A. W. Pfeiffer
George W. Dunlap	J. H. Jones	Hobart Rayburn

L. K. Rice	P. L. Sidebottom	S. J. Wagner
Joe E. Robinson	Bruce Sloan	Joseph L. Wall
John C. Robinson	H. C. Steely	Henry Ward
W. T. Rollo	Henry Stewart	L. R. Wells
A. W. Ross	Dr. H. S. Swope	W. G. Williams
Carl Scheben	W. R. Tapp	Charles Wylie
Ray O. Shehan	J. J. Thomas	
Dr. B. F. Shields	R. Van Bever, Jr.	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 468. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Green County line near Roachville to Hatcher, Taylor County, Kentucky, said road being known as the Jane Crawford Trail.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Green County line near Roachville to Hatcher, Taylor County, Kentucky, said road being known as the Jane Crawford Trail.

§ 2. That the road now established as a part of the pri-

mary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	T. P. Fitzpatrick	W. F. McGary
W. T. Baker	H. Myer Garner	Elmer McGlothen
B. F. Bedford	James Garnett, Jr.	C. S. Matherly
Reuben J. Boling	G. W. Garrett	G. S. Milam
Douglas Bolling	Ferd A. Gnau	W. H. Miller
Ollie J. Bowen	Eugene Gough	John B. Mollett
Wallace Brown	Ben Grogan	W. E. Mull
Jas. C. Carter	C. L. Hammons	Rodes K. Myers
V. O. Chandler	W. L. Hampton, Jr.	J. C. Nickell
Floyd Clark	Thomas W. Hines	Russell O'Neill
Roscoe Claxon	Price Holbrook	Mel Petry
George S. Clay	Clyde S. Howard	A. W. Pfeiffer
J. A. Coleman	Ira W. Hulette	Hobart Rayburn
Roy Conway	John M. Hunnicut	L. K. Rice
Herbert Cook	Ben W. Johnson	Joe E. Robinson
Harry Davis	J. H. Jones	John C. Robinson
Sam Dever	O. C. Jones	W. T. Rollo
Stanley S. Dickson	J. F. Ladd	A. W. Ross
George W. Dunlap	Leslie Larrimore	Carl Scheben
Howard G. Early	T. B. McConnell	Ray O. Shehan
Garland Embry	J. L. McDermott	Dr. B. F. Shields
Walter R. Fannin	Lloyd MacDonald	P. L. Sidebottom

Bruce Sloan	J. J. Thomas	L. R. Wells
H. C. Steely	R. Van Bever, Jr.	W. G. Williams
Henry Stewart	S. J. Wagner	Charles Wylie
Dr. H. S. Swope	Joseph L. Wall	
W. R. Tapp	Henry Ward	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 469. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Spurlington in Taylor County, crossing the Mannsville and Bradfordsville Highway near Tallow Creek Church via Merrimac to the Casey County line.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Spurlington in Taylor County, crossing the Mannsville and Bradfordsville Highway near Tallow Creek Church via Merrimac to the Casey County line.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and con-

ditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	James Garnett, Jr.	W. H. Miller
W. T. Baker	G. W. Garrett	John B. Mollett
B. F. Bedford	Ferd A. Gnau	W. E. Mull
Reuben J. Boling	Eugene Gough	Rodes K. Myers
Douglas Bolling	Ben Grogan	J. C. Nickell
Ollie J. Bowen	C. L. Hammons	Russell O'Neill
Wallace Brown	W. L. Hampton, Jr.	Mel Petry
Jas. C. Carter	Thomas W. Hines	A. W. Pfeiffer
V. O. Chandler	Price Holbrook	Hobart Rayburn
Floyd Clark	Clyde S. Howard	L. K. Rice
Roscoe Claxon	Ira W. Hulette	Joe E. Robinson
George S. Clay	John M. Hunnicut	John C. Robinson
J. A. Coleman	Ben W. Johnson	W. T. Rollo
Roy Conway	J. H. Jones	A. W. Ross
Herbert Cook	O. C. Jones	Carl Scheben
Harry Davis	J. F. Ladd	Ray O. Shehan
Sam Dever	Leslie Larrimore	Dr. B. F. Shields
Stanley S. Dickson	T. B. McConnell	P. L. Sidebottom
George W. Dunlap	J. L. McDermott	Bruce Sloan
Howard G. Early	Lloyd MacDonald	H. C. Steely
Garland Embry	W. F. McGary	Henry Stewart
Walter R. Fannin	Elmer McGlothen	Dr. H. S. Swope
T. P. Fitzpatrick	C. S. Matherly	W. R. Tapp
H. Myer Garner	G. S. Milam	J. J. Thomas

R. Van Bever, Jr. Henry Ward Charles Wylie
S. J. Wagner L. R. Wells
Joseph L. Wall W. G. Williams —79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 470. An Act establishing as part of the primary system of State Highways a road beginning at Minor Wilson's farm in Warren County by way of Long's farm, crossing Three Springs road, thence by Roy Skile's farm, and Wilson Bros.'s farm to intersect U. S. 31W.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky a road beginning at Minor Wilson's farm in Warren County, by way of Long's farm, crossing through Spring's road, thence by Roy Syile's farm, and Wilson Bro's farm to intersect U. S. 31W.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by provisions of Chapter 17 of the Acts of the General Assembly of 1930, and all other laws pertaining thereto establishing

and creating the primary system of highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	T. P. Fitzpatrick	W. F. McGary
W. T. Baker	H. Myer Garner	Elmer McGlothen
B. F. Bedford	James Garnett, Jr.	C. S. Matherly
Reuben J. Boling	G. W. Garrett	G. S. Milam
Douglas Bolling	Ferd A. Gnau	W. H. Miller
Ollie J. Bowen	Eugene Gough	John B. Mollett
Wallace Brown	Ben Grogan	W. E. Mull
Jas. C. Carter	C. L. Hammons	Rodes K. Myers
V. O. Chandler	W. L. Hampton, Jr.	J. C. Nickell
Floyd Clark	Thomas W. Hines	Russell O'Neill
Roscoe Claxon	Price Holbrook	Mel Petry
George S. Clay	Clyde S. Howard	A. W. Pfeiffer
J. A. Coleman	Ira W. Hulette	Hobart Rayburn
Roy Conway	John M. Hunnicut	L. K. Rice
Herbert Cook	Ben W. Johnson	Joe E. Robinson
Harry Davis	J. H. Jones	John C. Robinson
Sam Dever	O. C. Jones	W. T. Rollo
Stanley S. Dickson	J. F. Ladd	A. W. Ross
George W. Dunlap	Leslie Larrimore	Carl Scheben
Howard G. Early	T. B. McConnell	Ray O. Shehan
Garland Embry	J. L. McDermott	Dr. B. F. Shields
Walter R. Fannin	Lloyd MacDonald	P. L. Sidebottom

Bruce Sloan	J. J. Thomas	L. R. Wells	
H. C. Steely	R. Van Bever, Jr.	W. G. Williams	
Henry Stewart	S. J. Wagner	Charles Wylie	
Dr. H. S. Swope	Joseph L. Wall		
W. R. Tapp	Henry Ward		—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 490. An Act establishing as part of the primary system of State Highways, a road known as the Glasgow-Tompkinsville road, via Nobob, Sulphur Lick, Forkton, in Barren and Monroe counties.

Said bill is as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road leading from Glasgow, in Barren County, to Tompkinsville, in Monroe County, following present route of said highway from Glasgow to a point on the Glasgow-Burkesville road about eight miles from Glasgow, thence to Nobob, thence to Sulphur Lick, thence to Forkton, thence to Tompkinsville.

§ 2. The construction and maintenance, supervision and control of said road shall be subject to and controlled by pro-

visions of Chapter 17 of the Acts of the General Assembly of 1920 and all laws pertaining thereto, establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways, as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Garland Embry	Leslie Larrimore
W. T. Baker	Walter R. Fannin	T. B. McConnell
B. F. Bedford	T. P. Fitzpatrick	J. L. McDermott
Reuben J. Boling	H. Myer Garner	Lloyd MacDonald
Douglas Bolling	James Garnett, Jr.	W. F. McGary
Ollie J. Bowen	G. W. Garrett	Elmer McGlothen
Wallace Brown	Ferd A. Gnau	C. S. Matherly
Jas. C. Carter	Eugene Gough	G. S. Milam
V. O. Chandler	Ben Grogan	W. H. Miller
Floyd Clark	C. L. Hammons	John B. Mollett
Roscoe Claxon	W. L. Hampton, Jr.	W. E. Mull
George S. Clay	Thomas W. Hines	Rodes K. Myers
J. A. Coleman	Price Holbrook	J. C. Nickell
Roy Conway	Clyde S. Howard	Russell O'Neill
Herbert Cook	Ira W. Hulette	Mel Petry
Harry Davis	John M. Hunnicut	A. W. Pfeiffer
Sam Dever	Ben W. Johnson	Hobart Rayburn
Stanley S. Dickson	J. H. Jones	L. K. Rice
George W. Dunlap	O. C. Jones	Joe E. Robinson
Howard G. Early	J. F. Ladd	John C. Robinson

W. T. Rollo	H. C. Steely	Joseph L. Wall	
A. W. Ross	Henry Stewart	Henry Ward	
Carl Scheben	Dr. H. S. Swope	L. R. Wells	
Ray O. Shehan	W. R. Tapp	W. G. Williams	
Dr. B. F. Shields	J. J. Thomas	Charles Wylie	
P. L. Sidebottom	R. Van Bever, Jr.		
Bruce Sloan	S. J. Wagner		—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 491. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Greensburg and Hardyville Road near Arvin Akins farm, and running in a Northern direction by way of the Narrows of Pitman Creek and intersecting with the Summersville and Gabe Road near Taylor McKinney's farm in Green County, Kentucky.

Said bill is as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Greensburg and Hardyville Road near Arvin Akins farm, and running in a Northern direction by way of the Narrows of Pitman Creek and inter-

secting with the Summersville and Gabe Road near Taylor McKinney's farm in Green County, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	George W. Dunlap	Ben W. Johnson
W. T. Baker	Howard G. Early	J. H. Jones
B. F. Bedford	Garland Embry	O. C. Jones
Reuben J. Boling	Walter R. Fannin	J. F. Ladd
Douglas Bolling	T. P. Fitzpatrick	Leslie Larrimore
Cllie J. Bowen	H. Myer Garner	T. B. McConnell
Wallace Brown	James Garnett, Jr.	J. L. McDermott
Jas. C. Carter	G. W. Garrett	Lloyd MacDonald
V. O. Chandler	Ferd A. Gnau	W. F. McGary
Floyd Clark	Eugene Gough	Elmer McGlothen
Roscoe Claxon	Ben Grogan	C. S. Matherly
George S. Clay	C. L. Hammons	G. S. Milam
J. A. Coleman	W. L. Hampton, Jr.	W. H. Miller
Roy Conway	Thomas W. Hines	John B. Mollett
Herbert Cook	Price Holbrook	W. E. Mull
Harry Davis	Clyde S. Howard	Rodes K. Myers
Sam Dever	Ira W. Hulette	J. C. Nickell
Stanley S. Dickson	John M. Hunnicut	Russell O'Neill

Mel Petry	Ray O. Shehan	R. Van Bever, Jr.
A. W. Pfeiffer	Dr. B. F. Shields	S. J. Wagner
Hobart Rayburn	P. L. Sidebottom	Joseph L. Wall
L. K. Rice	Bruce Sloan	Henry Ward
Joe E. Robinson	H. C. Steely	L. R. Wells
John C. Robinson	Henry Stewart	W. G. Williams
W. T. Rollo	Dr. H. S. Swope	Charles Wylie
A. W. Ross	W. R. Tapp	
Carl Scheben	J. J. Thomas	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 492. An Act to add to the primary system of public roads a road beginning at the west banks of the Tennessee River at or near the Kentucky-Tennessee State line; thence west on the Kentucky-Tennessee State line to Hazel to Crossland in Calloway County to Boydsville, Dukendom in Graves County to Fulton in Fulton County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of State Highways a road beginning at the west banks of the Tennessee River at or near the Kentucky-Tennessee State line; thence west on the Kentucky-Tennessee State line

to Hazel to Crossland in Calloway County to Boydsville, Dukendom in Graves County, to Fulton County, Kentucky

The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways, the same as though said road had been named in said original Act as one of the projects of said primary system of highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Sam Dever	Price Holbrook
W. T. Baker	Stanley S. Dickson	Clyde S. Howard
B. F. Bedford	George W. Dunlap	Ira W. Hulette
Reuben J. Boling	Howard G. Early	John M. Hunnicut
Douglas Bolling	Garland Embry	Ben W. Johnson
Ollie J. Bowen	Walter R. Fannin	J. H. Jones
Wallace Brown	T. P. Fitzpatrick	O. C. Jones
Jas. C. Carter	H. Myer Garner	J. F. Ladd
V. O. Chandler	James Garnett, Jr.	Leslie Larrimore
Floyd Clark	G. W. Garrett	T. B. McConnell
Roscoe Claxon	Ferd A. Gnau	J. L. McDermott
George S. Clay	Eugene Gough	Lloyd MacDonald
J. A. Coleman	Ben Grogan	W. F. McGary
Roy Conway	C. L. Hammons	Elmer McGlothen
Herbert Cook	W. L. Hampton, Jr.	C. S. Matherly
Harry Davis	Thomas W. Hines	G. S. Milam

W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 493. An Act creating and establishing as part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning at a point on the improved highway leading from Greenville, in Muhlenberg County, to Kirkmansville, in Todd County, at a point south of the residence of John W. Drake in Muhlenberg County, and running to a point in the old Greenville and Elkton Road in Muhlenberg County just south of the George Melton farm.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a

part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on the improved highway leading from Greenville to Kirkmansville south of the residence of John W. Drake, said point being at the mouth of the lane between the lands of said John W. Drake and Charles Caskey in Muhlenberg County, and running to a point in the old Greenville and Elkton Road in Muhleberg County just south of the George Melton farm at the mouth of the lane leading into said old Greenville and Elkton Road.

§ 2. The road now established as part of the primary system of highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission, and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Floyd Clark	George W. Dunlap
W. T. Baker	Roscoe Claxon	Howard G. Early
B. F. Bedford	George S. Clay	Garland Embry
Reuben J. Boling	J. A. Coleman	Walter R. Fannin
Douglas Bolling	Roy Conway	T. P. Fitzpatrick
Ollie J. Bowen	Herbert Cook	H. Myer Garner
Wallace Brown	Harry Davis	James Garnett, Jr.
Jas. C. Carter	Sam Dever	G. W. Garrett
V. O. Chandler	Stanley S. Dickson	Ferd A. Gnau

Eugene Gough	Elmer McGlothen	Ray O. Shehan
Ben Grogan	C. S. Matherly	Dr. B. F. Shields
C. L. Hammons	G. S. Milam	P. L. Sidebottom
W. L. Hampton, Jr.	W. H. Miller	Bruce Sloan
Thomas W. Hines	John B. Mollett	H. C. Steely
Price Holbrook	W. E. Mull	Henry Stewart
Clyde S. Howard	Rodes K. Myers	Dr. H. S. Swope
Ira W. Hulette	J. C. Nickell	W. R. Tapp
John M. Hunnicut	Russell O'Neill	J. J. Thomas
Ben W. Johnson	Mel Petry	R. Van Bever, Jr.
J. H. Jones	A. W. Pfeiffer	S. J. Wagner
O. C. Jones	Hobart Rayburn	Joseph L. Wall
J. F. Ladd	L. K. Rice	Henry Ward
Leslie Larrimore	Joe E. Robinson	L. R. Wells
T. B. McConnell	John C. Robinson	W. G. Williams
J. L. McDermott	W. T. Rollo	Charles Wylie
Lloyd MacDonald	A. W. Ross	
W. F. McGary	Carl Scheben	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 494. An Act establishing as part of the system of State Highways a road known as the Bewleytown road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren county known as the Bewleytown road, said road starting at Tracy Church on the Glasgow-Fountain Run Highway and ending at Brown's Ford on Barren River.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	George S. Clay	T. P. Fitzpatrick
W. T. Baker	J. A. Coleman	H. Myer Garner
B. F. Bedford	Roy Conway	James Garnett, Jr.
Reuben J. Boling	Herbert Cook	G. W. Garrett
Douglas Bolling	Harry Davis	Ferd A. Gnau
Ollie J. Bowen	Sam Dever	Eugene Gough
Wallace Brown	Stanley S. Dickson	Ben Grogan
Jas. C. Carter	George W. Dunlap	C. L. Hammons
V. O. Chandler	Howard G. Early	W. L. Hampton, Jr.
Floyd Clark	Garland Embry	Thomas W. Hines
Roscoe Claxon	Walter R. Fannin	Price Holbrook

Clyde S. Howard	John B. Mollett	P. L. Sidebottom
Ira W. Hulette	W. E. Mull	Bruce Sloan
John M. Hunnicut	Rodes K. Myers	H. C. Steely
Ben W. Johnson	J. C. Nickell	Henry Stewart
J. H. Jones	Russell O'Neill	Dr. H. S. Swope
O. C. Jones	Mel Petry	W. R. Tapp
J. F. Ladd	A. W. Pfeiffer	J. J. Thomas
Leslie Larrimore	Hobart Rayburn	R. Van Bever, Jr.
T. B. McConnell	L. K. Rice	S. J. Wagner
J. L. McDermott	Joe E. Robinson	Joseph L. Wall
Lloyd MacDonald	John C. Robinson	Henry Ward
W. F. McGary	W. T. Rollo	L. R. Wells
Elmer McGlothen	A. W. Ross	W. G. Williams
C. S. Matherly	Carl Scheben	Charles Wylie
G. S. Milam	Ray O. Shehan	
W. H. Miller	Dr. B. F. Shields	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 495. An Act adding to the State Primary System of Highways a project connecting U. S. No. 41 at Manitou, Hopkins County, Kentucky, and the Madisonville-Princeton Road No. 317-417, just west of Richmond at the Richland Creek bridge.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road project beginning at a point near the Christian Church at Manitou, on U. S. No. 41, and running West via, Ez Tapp's farm, Possum College, Greasy Creek and Lee Schmetzer's residence, and thence with a lane to and with Richland Creek, intersecting the Madisonville-Princeton Road No. 317-417 at the Richland Creek bridge, between one-half and one mile West of Richland, following the old roads as near as practical a distance of about six (6) miles in Hopkins County, Kentucky.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Floyd Clark	George W. Dunlap
W. T. Baker	Roscoe Claxon	Howard G. Early
B. F. Bedford	George S. Clay	Garland Embry
Reuben J. Boling	J. A. Coleman	Walter R. Fannin
Douglas Bolling	Roy Conway	T. P. Fitzpatrick
Ollie J. Bowen	Herbert Cook	H. Myer Garner
Wallace Brown	Harry Davis	James Garnett, Jr.
Jas. C. Carter	Sam Dever	G. W. Garrett
V. O. Chandler	Stanley S. Dickson	Ferd A. Gnau

Eugene Gough	Elmer McGlothen	Ray O. Shehan
Ben Grogan	C. S. Matherly	Dr. B. F. Shields
C. L. Hammons	G. S. Milam	P. L. Sidebottom
W. L. Hampton, Jr.	W. H. Miller	Bruce Sloan
Thomas W. Hines	John B. Mollett	H. C. Steely
Price Holbrook	W. E. Mull	Henry Stewart
Clyde S. Howard	Rodes K. Myers	Dr. H. S. Swope
Ira W. Hulette	J. C. Nickell	W. R. Tapp
John M. Hunnicut	Russell O'Neill	J. J. Thomas
Ben W. Johnson	Mel Petry	R. Van Bever, Jr.
J. H. Jones	A. W. Pfeiffer	S. J. Wagner
O. C. Jones	Hobart Rayburn	Joseph L. Wall
J. F. Ladd	L. K. Rice	Henry Ward
Leslie Larrimore	Joe E. Robinson	L. R. Wells
T. B. McConnell	John C. Robinson	W. G. Williams
J. L. McDermott	W. T. Rollo	Charles Wylie
Lloyd MacDonald	A. W. Ross	
W. F. McGary	Carl Scheben	—78

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 496. An Act adding to the State Primary System of Highways a project connecting State Highway No. 85 at the Pete Laffoon farm, with the Madisonville-Brazzel Bridge Public Road, near Homer Suthard's farm, in Hopkins County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary System of Highways of Kentucky, a road project beginning at a point on State Highway No. 85, known as the Pete Laffoon farm, and running East with the old road via Will Jamison's farm one (1) mile; thence West one (1) mile, and North one (1) mile, and West eight (8) miles via Ball, Todd and Medlock Schools, and intersecting the Madisonville-Brazzel Bridge Public Road near Homer Suthard's, following the old roads as near as practical, in Hopkins County, Kentucky, a distance of about ten (10) miles.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Roscoe Claxon	Garland Embry
W. T. Baker	George S. Clay	Walter R. Fannin
B. F. Bedford	J. A. Coleman	T. P. Fitzpatrick
Reuben J. Boling	Roy Conway	H. Myer Garner
Douglas Bolling	Herbert Cook	James Garnett, Jr.
Ollie J. Bowen	Harry Davis	G. W. Garrett
Wallace Brown	Sam Dever	Ferd A. Gnau
Jas. C. Carter	Stanley S. Dickson	Eugene Gough
V. O. Chandler	George W. Dunlap	Ben Grogan
Floyd Clark	Howard G. Early	C. L. Hammons

Thomas W. Hines	G. S. Milam	Ray O. Shehan
Price Holbrook	W. H. Miller	Dr. B. F. Shields
Clyde S. Howard	John B. Mollett	P. L. Sidebottom
Ira W. Hulette	W. E. Mull	Bruce Sloan
John M. Hunnicut	Rodes K. Myers	H. C. Steely
Ben W. Johnson	J. C. Nickell	Henry Stewart
J. H. Jones	Russell O'Neill	Dr. H. S. Swope
O. C. Jones	Mel Petry	W. R. Tapp
J. F. Ladd	A. W. Pfeiffer	J. J. Thomas
Leslie Larrimore	Hobart Rayburn	R. Van Bever, Jr.
T. B. McConnell	L. K. Rice	S. J. Wagner
J. L. McDermott	Joe E. Robinson	Joseph L. Wall
Lloyd MacDonald	John C. Robinson	Henry Ward
W. F. McGary	W. T. Rollo	L. R. Wells
Elmer McGlothen	A. W. Ross	W. G. Williams
C. S. Matherly	Carl Scheben	Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 497. An Act creating and establishing as a part of the primary road system of highways of the State of Kentucky a road running from highway No. 90 at Summer Shade to the Red Houses a distance of three miles, in Metcalfe County. Said road to be designated by the State Highway Department with an appropriate project number.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road running from Highway No. 90, beginning at the postoffice at Summer Shade to the Red Houses, a distance of three miles in Metcalfe County; the road thus established shall be designated with an appropriate project number and shall be entitled to receive all benefits of such laws as are now or may hereafter be in effect with relation to the primary road system of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Roy Conway	Ferd A. Gnau
W. T. Baker	Herbert Cook	Eugene Gough
B. F. Bedford	Harry Davis	Ben Grogan
Reuben J. Boling	Sam Dever	C. L. Hammons
Douglas Bolling	Stanley S. Dickson	W. L. Hampton, Jr.
Ollie J. Bowen	George W. Dunlap	Thomas W. Hinps
Wallace Brown	Howard G. Early	Price Holbrook
Jas. C. Carter	Garland Embry	Clyde S. Howard
V. O. Chandler	Walter R. Fannin	Ira W. Hulette
Floyd Clark	T. P. Fitzpatrick	John M. Hunnicut
Roscoe Claxon	H. Myer Garner	Ben W. Johnson
George S. Clay	James Garnett, Jr.	J. H. Jones
J. A. Coleman	G. W. Garrett	O. C. Jones

J. F. Ladd	Russell O'Neill	H. C. Steely
Leslie Larrimore	Mel Petry	Henry Stewart
T. B. McConnell	A. W. Pfeiffer	Dr. H. S. Swope
J. L. McDermott	Hobart Rayburn	W. R. Tapp
Lloyd MacDonald	L. K. Rice	J. J. Thomas
W. F. McGary	Joe E. Robinson	R. Van Bever, Jr.
Elmer McGlothen	John C. Robinson	S. J. Wagner
C. S. Matherly	W. T. Rollo	Joseph L. Wall
G. S. Milam	A. W. Ross	Henry Ward
W. H. Miller	Carl Scheben	L. R. Wells
John B. Mollett	Ray O. Shehan	W. G. Williams
W. E. Mull	Dr. B. F. Shields	Charles Wylie
Rodes K. Myers	P. L. Sidebottom	
J. C. Nickell	Bruce Sloan	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 498. An Act establishing as part of the primary system of State Highways a road known as the Milburn and Taylor road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road known as the Milburn and Taylor road in

Barren County, said road starting near Antioch Church on the Glasgow-Flippin road and ending at its intersection with the Glasgow-Fountain Run road at Union Church.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Herbert Cook	Ben Grogan
W. T. Baker	Harry Davis	C. L. Hammons
B. F. Bedford	Sam Dever	W. L. Hampton, Jr.
Reuben J. Boling	Stanley S. Dickson	Thomas W. Hines
Douglas Bolling	George W. Dunlap	Price Holbrook
Ollie J. Bowen	Howard G. Early	Clyde S. Howard
Wallace Brown	Garland Embry	Ira W. Hulette
Jas. C. Carter	Walter R. Fannin	John M. Hunnicut
V. O. Chandler	T. P. Fitzpatrick	Ben W. Johnson
Floyd Clark	H. Myer Garner	J. H. Jones
Roscoe Claxon	James Garnett, Jr.	O. C. Jones
George S. Clay	G. W. Garrett	J. F. Ladd
J. A. Coleman	Ferd A. Gnau	Leslie Larrimore
Roy Conway	Eugene Gough	T. B. McConnell

J. L. McDermott	A. W. Pfeiffer	Henry Stewart
Lloyd MacDonald	Hobart Rayburn	Dr. H. S. Swope
W. F. McGary	Wade H. Riley	W. R. Tapp
Elmer McGlothen	Joe E. Robinson	J. J. Thomas
C. S. Matherly	John C. Robinson	R. Van Bever, Jr.
G. S. Milam	W. T. Rollo	S. J. Wagner
W. H. Miller	A. W. Ross	Joseph L. Wall
John B. Mollett	Carl Scheben	Henry Ward
W. E. Mull	Ray O. Shehan	L. R. Wells
Rodes K. Myers	Dr. B. F. Shields	W. G. Williams
J. C. Nickell	P. L. Sidebottom	Charles Wylie
Russell O'Neill	Bruce Sloan	
Mel Petry	H. C. Steely	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 26. An Act establishing as part of the primary system of State Highways a road from Hazel Green in Wolfe County via Toliver to Gosneyville in Wolfe County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road leading from Hazel Green in Wolfe County, via Toliver, to Gosneyville in Wolfe County.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Stanley S. Dickson	Ira W. Hulette
W. T. Baker	George W. Dunlap	John M. Hunnicut
B. F. Bedford	Howard G. Early	Ben W. Johnson
Reuben J. Boling	Garland Embry	J. H. Jones
Douglas Bolling	Walter R. Fannin	O. C. Jones
Ollie J. Bowen	T. P. Fitzpatrick	J. F. Ladd
Wallace Brown	H. Myer Garner	Leslie Larrimore
Jas. C. Carter	James Garnett, Jr.	T. B. McConnell
V. O. Chandler	G. W. Garrett	J. L. McDermott
Floyd Clark	Ferd A. Gnau	Lloyd MacDonald
Roscoe Claxon	Eugene Gough	W. F. McGary
George S. Clay	Ben Grogan	Elmer McGlothen
J. A. Coleman	C. L. Hammons	C. S. Matherly
Roy Conway	W. L. Hampton, Jr.	G. S. Milam
Herbert Cook	Thomas W. Hines	W. H. Miller
Harry Davis	Price Holbrook	John B. Mollett
Sam Dever	Clyde S. Howard	W. E. Mull

Rodes K. Myers	A. W. Ross	J. J. Thomas
J. C. Nickell	Carl Scheben	R. Van Bever, Jr.
Russell O'Neill	Ray O. Shehan	S. J. Wagner
Mel Petry	Dr. B. F. Shields	Joseph L. Wall
A. W. Pfeiffer	P. L. Sidebottom	Henry Ward
Hobart Rayburn	Bruce Sloan	L. R. Wells
L. K. Rice	H. C. Steely	W. G. Williams
Joe E. Robinson	Henry Stewart	Charles Wylie
John C. Robinson	Dr. H. S. Swope	
W. T. Rollo	W. R. Tapp	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 27. An Act establishing as part of the primary system of the State Highways a road from Frenchburg in Menifee County, via Denniston, Pomroyton, Valerie, Gosneyville, Stillwater, Campton, Vortex and Flat to Booneville in Owsley County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as part of the primary system of State Highways of the Commonwealth of Kentucky a road leading from Frenchburg in Menifee County, via Denniston, Pomroyton, Valerie, Gosneyville, Stillwater, Campton, Vortex and Flat to Booneville in Owsley County.

§ 2. That the construction, maintenance, supervision and control of said roads shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereon, establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Stanley S. Dickson	Ira W. Hulette
W. T. Baker	George W. Dunlap	John M. Hunnicut
B. F. Bedford	Howard G. Early	Ben W. Johnson
Reuben J. Boling	Garland Embry	J. H. Jones
Douglas Bolling	Walter R. Fannin	O. C. Jones
Ollie J. Bowen	T. P. Fitzpatrick	J. F. Ladd
Wallace Brown	H. Myer Garner	Leslie Larrimore
Jas. C. Carter	James Garnett, Jr.	T. B. McConnell
V. O. Chandler	G. W. Garrett	J. L. McDermott
Floyd Clark	Ferd A. Gnau	Lloyd MacDonald
Roscoe Claxon	Eugene Gough	W. F. McGary
George S. Clay	Ben Grogan	Elmer McGlothen
J. A. Coleman	C. L. Hammons	C. S. Matherly
Roy Conway	W. L. Hampton, Jr.	G. S. Milam
Herbert Cook	Thomas W. Hines	W. H. Miller
Harry Davis	Price Holbrook	John B. Mollett
Sam Dever	Clyde S. Howard	W. E. Mull

Rodes K. Myers	A. W. Ross	J. J. Thomas
J. C. Nickell	Carl Scheben	R. Van Bever, Jr.
Russell O'Neill	Ray O. Shehan	S. J. Wagner
Mel Petry	Dr. B. F. Shields	Joseph L. Wall
A. W. Pfeiffer	P. L. Sidebottom	Henry Ward
Hobart Rayburn	Bruce Sloan	L. R. Wells
L. K. Rice	H. C. Steely	W. G. Williams
Joe E. Robinson	Henry Stewart	Charles Wylie
John C. Robinson	Dr. H. S. Swope	
W. T. Rollo	W. R. Tapp	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 35. An Act to establish as part of the primary system of State Highways, a road leading from a point about three-fourths mile South of old Cedar Church in Owen County, at said point leading from the Taft Memorial Highway over the most practical and direct route through Franklin County to a point on U. S. Highway No. 227 about one and one-half miles North of Stamping Ground in Scott County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as part of the primary system of the State Highways of the Commonwealth

of Kentucky, a road leading from a point about three-fourths mile South of old Cedar Church in Owen County over the most practical and direct route through Franklin County to a point on U. S. Highway No. 227 about one and one-half miles North of Stamping Ground in Scott County.

§ 2. The construction and maintenance, supervision and control of said road shall be subject to and controlled by provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all laws pertaining thereto, establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways, as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	J. A. Coleman	James Garnett, Jr.
W. T. Baker	Roy Conway	G. W. Garrett
B. F. Bedford	Herbert Cook	Ferd A. Gnau
Reuben J. Boling	Harry Davis	Eugene Gough
Douglas Bolling	Sam Dever	Ben Grogan
Ollie J. Bowen	Stanley S. Dickson	C. L. Hammons
Wallace Brown	George W. Dunlap	W. L. Hampton, Jr.
Jas. C. Carter	Howard G. Early	Thomas W. Hines
V. O. Chandler	Garland Embry	Price Holbrook
Floyd Clark	Walter R. Fannin	Clyde S. Howard
Roscoe Claxon	T. P. Fitzpatrick	Ira W. Hulette
George S. Clay	H. Myer Garner	John M. Hunnicut

Ben W. Johnson	Rodes K. Myers	Bruce Sloan
J. H. Jones	J. C. Nickell	H. C. Steely
O. C. Jones	Russell O'Neill	Henry Stewart
J. F. Ladd	Mel Petry	Dr. H. S. Swope
Leslie Larrimore	A. W. Pfeiffer	W. R. Tapp
T. B. McConnell	Hobart Rayburn	J. J. Thomas
J. L. McDermott	L. K. Rice	R. Van Bever, Jr.
Lloyd MacDonald	Joe E. Robinson	S. J. Wagner
W. F. McGary	John C. Robinson	Joseph L. Wall
Elmer McGlothen	W. T. Rollo	Henry Ward
C. S. Matherly	A. W. Ross	L. R. Wells
G. S. Milam	Carl Scheben	W. G. Williams
W. H. Miller	Ray O. Shehan	Charles Wylie
John B. Mollett	Dr. B. F. Shields	
W. E. Mull	P. L. Sidebottom	—79

Those who voted in the negative were—

Chester D. Silvers Chas. P. Farnsley —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 58. An Act adding and establishing as part of the primary system of the State highways, a road commencing at the Mayfield and Wickliffe highway at Lowes, Graves County, Kentucky, running thence in a southernly direction to Fancy Farm; thence in a southernly direction to Dublin, Kentucky; thence in a southernly direction to the highway No. 58, near Crawford's store.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be added and there now is established a part of the primary system of highways of the Commonwealth of Kentucky, a road commencing at the Mayfield and Wickliffe highway at Lowes, Graves County, Kentucky, running thence in a southernly direction to Fancy Farm; thence in a southernly direction to Dublin, Kentucky; thece in a southernly direction to highway No. 58, near Crawford's store. The distance is approximately twelve miles.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Roscoe Claxon	Garland Embry
W. T. Baker	George S. Clay	Walter R. Fannin
B. F. Bedford	J. A. Coleman	T. P. Fitzpatrick
Reuben J. Boling	Roy Conway	H. Myer Garner
Douglas Bolling	Herbert Cook	James Garnett, Jr.
Ollie J. Bowen	Harry Davis	G. W. Garrett
Wallace Brown	Sam Dever	Ferd A. Gnau
Jas. C. Carter	Stanley S. Dickson	Eugene Gough
V. O. Chandler	George W. Dunlap	Ben Grogan
Floyd Clark	Howard G. Early	C. L. Hammons

W L. Hampton, Jr.	G. S. Milam	Dr. B. F. Shields
Thomas W. Hines	W. H. Miller	P. L. Sidebottom
Price Holbrook	John B. Mollett	Bruce Sloan
Clyde S. Howard	W. E. Mull	H. C. Steely
Ira W. Hulette	Rodes K. Myers	Henry Stewart
John M. Hunnicut	J. C. Nickell	Dr. H. S. Swope
Ben W. Johnson	Russell O'Neill	W. R. Tapp
J. H. Jones	Mel Petry	J. J. Thomas
O. C. Jones	A. W. Pfeiffer	R. Van Bever, Jr.
J. F. Ladd	Hobart Rayburn	S. J. Wagner
Leslie Larrimore	L. K. Rice	Joseph L. Wall
T. B. McConnell	Joe E. Robinson	Henry Ward
J. L. McDermott	John C. Robinson	L. R. Wells
Lloyd MacDonald	W. T. Rollo	W. G. Williams
W. F. McGary	A. W. Ross	Charles Wylie
Elmer McGlothen	Carl Scheben	
C. S. Matherly	Ray O. Shehan	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid—

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 67. An Act relating to the Primary System of roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established and created as a part of

the Primary Road System of the Commonwealth of Kentucky a road beginning at a point on U. S. Highway 42 (otherwise known as the Louisville-Cincinnati Road) at the village of Goshen, Oldham County, Ky., said point being about 3.6 miles Northeast of the Jefferson and Oldham County Line, thence in a Northwesterly direction 2.8 miles to the foot of the hills near the Ohio River, thence in a Southwesterly direction 4.4 miles (crossing Huckelberry Creek at 1.1 miles and Pond Creek 3.4 miles) to the Jefferson and Oldham County Line. Total length of road described being 7.2 miles.

The construction, maintenance, supervision and control of said road shall be subject to all of the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary road system.

Said road shall be known and designated as Project No. .....

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	V. O. Chandler	Sam Dever
W. T. Baker	Floyd Clark	Stanley S. Dickson
B. F. Bedford	Roscoe Claxon	George W. Dunlap
Reuben J. Boling	George S. Clay	Howard G. Early
Douglas Bolling	J. A. Coleman	Garland Embry
Ollie J. Bowen	Roy Conway	Walter R. Fannin
Wallace Brown	Herbert Cook	T. P. Fitzpatrick
Jas. C. Carter	Harry Davis	H. Myer Garner

James Garnett, Jr.	Lloyd MacDonald	Carl Scheben
G. W. Garrett	W. F. McGary	Ray O. Shehan
Ferd A. Gnau	Elmer McGlothen	Dr. B. F. Shields
Eugene Gough	C. S. Matherly	P. L. Sidebottom
Ben Grogan	G. S. Milam	Bruce Sloan
C. L. Hammons	W. H. Miller	H. C. Steely
W. L. Hampton, Jr.	John B. Mollett	Henry Stewart
Thomas W. Hines	W. E. Mull	Dr. H. S. Swope
Price Holbrook	Rodes K. Myers	W. R. Tapp
Clyde S. Howard	J. C. Nickell	J. J. Thomas
Ira W. Hulette	Russell O'Neill	R. Van Bever, Jr.
John M. Hunnicut	Mel Petry	S. J. Wagner
Ben W. Johnson	A. W. Pfeiffer	Joseph L. Wall
J. H. Jones	Hobart Rayburn	Henry Ward
O. C. Jones	L. K. Rice	L. R. Wells
J. F. Ladd	Joe E. Robinson	W. G. Williams
Leslie Larrimore	John C. Robinson	Charles Wylie
T. B. McConnell	W. T. Rollo	
J. L. McDermott	A. W. Ross	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 80. An Act relating to Roads and Highways, and placing in the primary system a road in Owen and Henry Counties, beginning in State Road Project No. 22, about four miles west of Owenton, Ky., at the residence of Bennie Johnson, and leading west to Perry Park, thence southwest to

Adams' Ferry on the Kentucky River, and across the Kentucky River, to State Road No. 183 in Henry County, opposite Adams' Ferry.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. FIRST: That there is hereby established as part of the Primary System of roads in the Commonwealth of Kentucky a road in Owen and Henry Counties, beginning at State Road No. 22, about four miles West of Owenton at the residence of Bennie Johnson, in Owen County, and leading by Squiresville to Perry Park, and thence in a southwestern direction to Adams' Ferry on the Kentucky River, and across the Kentucky River to State Road No. 183, at Springport, in Henry County, opposite Adams' Ferry.

SECOND: Said road thus established as part of the primary roads of this Commonwealth shall be entitled to all the privileges, benefits and conditions now given by any Act or law to the primary roads of Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Ollie J. Bowen	Roscoe Claxon
W. T. Baker	Wallace Brown	George S. Clay
B. F. Bedford	Jas. C. Carter	J. A. Coleman
Reuben J. Boling	V. O. Chandler	Roy Conway
Douglas Bolling	Floyd Clark	Herbert Cook

Harry Davis	J. H. Jones	John C. Robinson
Sam Dever	O. C. Jones	W. T. Rollo
Stanley S. Dickson	J. F. Ladd	A. W. Ross
George W. Dunlap	Leslie Larrimore	Carl Scheben
Howard G. Early	T. B. McConnell	Ray O. Shehan
Garland Embry	J. L. McDermott	Dr. B. F. Shields
Walter R. Fannin	Lloyd MacDonald	P. L. Sidebottom
T. P. Fitzpatrick	W. F. McGary	Bruce Sloan
H. Myer Garner	Elmer McGlothen	H. C. Steely
James Garnett, Jr.	C. S. Matherly	Henry Stewart
G. W. Garrett	G. S. Milam	Dr. H. S. Swope
Ferd A. Gnau	W. H. Miller	W. R. Tapp
Eugene Gough	John B. Mollett	J. J. Thomas
Ben Grogan	W. E. Mull	R. Van Bever, Jr.
C. L. Hammons	Rodes K. Myers	S. J. Wagner
W. L. Hampton, Jr.	J. C. Nickell	Joseph L. Wall
Thomas W. Hines	Russell O'Neill	Henry Ward
Price Holbrook	Mel Petry	L. R. Wells
Clyde S. Howard	A. W. Pfeiffer	W. G. Williams
Ira W. Hulette	Hobart Rayburn	Charles Wylie
John M. Hunnicut	L. K. Rice	
Ben W. Johnson	Joe E. Robinson	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 81. An Act to establish as part of the primary system of the highways of the Commonwealth of Kentucky

a road to lead from Hickman, Fulton County, Kentucky, to Hailwell, Hickman County, Kentucky, at or near the location of the present upper river road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the principal system of State Highways of the Commonwealth of Kentucky a road to lead from Hickman, Fulton County, Kentucky, to Hailwell, Hickman County, Kentucky, at or near the location of the present upper river road; the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the principal system of State Highways.

§ 2. Said road shall be designated and known as project No. .....

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Wallace Brown	J. A. Coleman
W. T. Baker	Jas. C. Carter	Roy Conway
B. F. Bedford	V. O. Chandler	Herbert Cook
Reuben J. Boling	Floyd Clark	Harry Davis
Douglas Bolling	Roscoe Claxon	Sam Dever
Ollie J. Bowen	George S. Clay	Stanley S. Dickson

George W. Dunlap	J. F. Ladd	W. T. Rollo
Howard G. Early	Leslie Larrimore	A. W. Ross
Garland Embry	T. B. McConnell	Carl Scheben
Walter R. Fannin	J. L. McDermott	Ray O. Shehan
T. P. Fitzpatrick	Lloyd MacDonald	Dr. B. F. Shields
H. Myer Garner	W. F. McGary	P. L. Sidebottom
James Garnett, Jr.	Elmer McGlothen	Bruce Sloan
G. W. Garrett	C. S. Matherly	H. C. Steely
Ferd A. Gnau	G. S. Milam	Henry Stewart
Eugene Gough	W. H. Miller	Dr. H. S. Swope
Ben Grogan	John B. Mollett	W. R. Tapp
C. L. Hammons	W. E. Mull	J. J. Thomas
W. L. Hampton, Jr.	Rodes K. Myers	R. Van Bever, Jr.
Thomas W. Hines	J. C. Nickell	S. J. Wagner
Price Holbrook	Russell O'Neill	Joseph L. Wall
Clyde S. Howard	Mel Petry	Henry Ward
Ira W. Hulette	A. W. Pfeiffer	L. R. Wells
John M. Hunnicut	Hobart Rayburn	W. G. Williams
Ben W. Johnson	L. K. Rice	Charles Wylie
J. H. Jones	Joe E. Robinson	
O. C. Jones	John C. Robinson	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 84. An Act to establish as part of the primary system of the highways of the Commonwealth of Kentucky a road to lead from Hickman, Fulton County, Kentucky, to the

Kentucky-Tennessee State line at or near the location of the present Troy Road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the principal system of State Highways of the Commonwealth of Kentucky a road to lead from Hickman, Fulton County, Kentucky, to the Kentucky-Tennessee State line at or near the location of the present Troy Road; the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the principal system of State Highways.

§ 2. Said road shall be designated and known as Project No. .....

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Jas. C. Carter	Herbert Cook
W. T. Baker	V. O. Chandler	Harry Davis
B. F. Bedford	Floyd Clark	Sam Dever
Reuben J. Boling	Roscoe Claxon	Stanley S. Dickson
Douglas Bolling	George S. Clay	George W. Dunlap
Ollie J. Bowen	J. A. Coleman	Howard G. Early
Wallace Brown	Roy Conway	Garland Embry

Walter R. Fannin	T. B. McConnell	A. W. Ross
T. P. Fitzpatrick	J. L. McDermott	Carl Scheben
H. Myer Garner	Lloyd MacDonald	Ray O. Shehan
James Garnett, Jr.	W. F. McGary	Dr. B. F. Shields
G. W. Garrett	Elmer McGlothen	P. L. Sidebottom
Ferd A. Gnau	C. S. Matherly	Bruce Sloan
Eugene Gough	G. S. Milam	H. C. Steely
Ben Grogan	W. H. Miller	Henry Stewart
C. L. Hammons	John B. Mollett	Dr. H. S. Swope
W. L. Hampton, Jr.	W. E. Mull	W. R. Tapp
Thomas W. Hines	Rodes K. Myers	J. J. Thomas
Price Holbrook	J C. Nickell	R. Van Bever, Jr.
Clyde S. Howard	Russell O'Neill	S. J. Wagner
Ira W. Hulette	Mel Petry	Joseph L. Wall
John M. Hunnicut	A. W. Pfeiffer	Henry Ward
Ben W. Johnson	Hobart Rayburn	L. R. Wells
J. H. Jones	L. K. Rice	W. G. Williams
O. C. Jones	Joe E. Robinson	Charles Wylie
J. F. Ladd	John C. Robinson	
Leslie Larrimore	W. T. Rollo	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 96. An Act establishing as part of the primary system of State Highways a road in Christian County, Kentucky, beginning at a point in U. S. Highway 41-West near bridge over Little River just south of Hopkinsville, Kentucky,

via Hopkinsville Golf and Country Club to a point in the Hopkinsville and Lafayette Road at the corner of P. M. Reese's land.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road leading from a point in U. S. 41-West near the bridge over Little River just south of Hopkinsville, Christian County, Kentucky, and extending in a westerly direction with the line of the property of the Hopkinsville Golf and Country Club and others, to a point in the Hopkinsville and Lafayette Road at the corner of P. M. Reese's land, same being a distance of about one and one-fourth miles.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto, establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original act as one of the projects of the primary system of state highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Eugene Gough	Mel Petry
W. T. Baker	Ben Grogan	A. W. Pfeiffer
B. F. Bedford	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Douglas Bolling	Thomas W. Hines	Joe E. Robinson
Ollie J. Bowen	Price Holbrook	John C. Robinson
Wallace Brown	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	Ira W. Hulette	A. W. Ross
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	Ben W. Johnson	Ray O. Shehan
Roscoe Claxon	J. H. Jones	Dr. B. F. Shields
George S. Clay	O. C. Jones	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Leslie Larrimore	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	Dr. H. S. Swope
Sam Dever	Lloyd MacDonald	W. R. Tapp
Stanley S. Dickson	W. F. McGary	J. J. Thomas
George W. Dunlap	Elmer McGlothen	R. Van Bever, Jr.
Howard G. Early	C. S. Matherly	S. J. Wagner
Garland Embry	G. S. Milam	Joseph L. Wall
Walter R. Fannin	W. H. Miller	Henry Ward
T. P. Fitzpatrick	John B. Mollett	L. R. Wells
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie
G. W. Garrett	J. C. Nickell	
Ferd A. Gnau	Russell O'Neill	—79

Those who voted in the negative were—

Chas. P. Farnsley	Chester D. Silvers	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 98. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road leading from Gilstrap, Butler county by way of Holston to and connecting with Select and Cromwell Road near Oak Grove in Ohio county.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of highways of the Commonwealth of Kentucky a road leading from Gilstrap in Butler County by way of Holston, and connecting with Select and Cromwell road near Oak Grove in Ohio County, to be known and designated as Project No. .....

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Jas. C. Carter	Herbert Cook
W. T. Baker	V. O. Chandler	Harry Davis
B. F. Bedford	Floyd Clark	Sam Dever
Reuben J. Boling	Roscoe Claxon	Stanley S. Dickson
Douglas Bolling	George S. Clay	George W. Dunlap
Ollie J. Bowen	J. A. Coleman	Howard G. Early
Wallace Brown	Roy Conway	Garland Embry

Walter R. Fannin	T. B. McConnell	A. W. Ross
T. P. Fitzpatrick	J. L. McDermott	Carl Scheben
H. Myer Garner	Lloyd MacDonald	Ray O. Shehan
James Garnett, Jr.	W. F. McGary	Dr. B. F. Shields
G. W. Garrett	Elmer McGlothen	P. L. Sidebottom
Ferd A. Gnau	C. S. Matherly	Bruce Sloan
Eugene Gough	G. S. Milam	H. C. Steely
Ben Grogan	W. H. Miller	Henry Stewart
C. L. Hammons	John B. Mollett	Dr. H. S. Swope
W. L. Hampton, Jr.	W. E. Mull	W. R. Tapp
Thomas W. Hines	Rodes K. Myers	J. J. Thomas
Price Holbrook	J. C. Nickell	R. Van Bever, Jr.
Clyde S. Howard	Russell O'Neill	S. J. Wagner
Ira W. Hulette	Mel Petry	Joseph L. Wall
John M. Hunnicut	A. W. Pfeiffer	Henry Ward
Ben W. Johnson	Hobart Rayburn	L. R. Wells
J. H. Jones	L. K. Rice	W. G. Williams
O. C. Jones	Joe E. Robinson	Charles Wylie
J. F. Ladd	John C. Robinson	
Leslie Larrimore	W. T. Rollo	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 99. An Act to establish as a part of the state primary road system to be known as Project No. ....., being at the Thompson Farm on the Morgantown–Russellville Road and connecting with the Quality–Morgantown Road at Union.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That road beginning at Thompson's farm on the Morgantown–Russellville road via Aubrey Peay and Berry Peay Heirs' land, to and connecting with the Quality–Morgantown Road at Union, be and the same is hereby designated as a part of the primary system of State Highways of the Commonwealth of Kentucky.

§ 2. The construction, maintenance, supervision and control of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Roscoe Claxon	Garland Embry
W. T. Baker	George S. Clay	Walter R. Fannin
B. F. Bedford	J. A. Coleman	T. P. Fitzpatrick
Reuben J. Boling	Roy Conway	H. Myer Garner
Douglas Bolling	Herbert Cook	James Garnett, Jr.
Ollie J. Bowen	Harry Davis	G. W. Garrett
Wallace Brown	Sam Dever	Ferd A. Gnau
Jas. C. Carter	Stanley S. Dickson	Eugene Gough
V. O. Chandler	George W. Dunlap	Ben Grogan
Floyd Clark	Howard G. Early	C. L. Hammons

W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
Hobart Rayburn
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—79

Those who voted in the negative were—

Chas. P. Farnsley
Chester D. Silvers

—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 101. An Act creating and establishing as a part of the primary system of state highways of the Commonwealth of Kentucky a road beginning at or near Fleener's Chapel in Butler County and running via Gilstrap–Flint Springs–Baizetown to Highway 62 at or near White Run in Ohio County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at or near Fleener's Chapel in Butler County and running by way of Gilstrap–Baizetown to Highway 62 at White Run in Ohio County, to be known and designated as Project No. .....

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Stanley S. Dickson	Ira W. Hulette
W. T. Baker	George W. Dunlap	John M. Hunnicut
B. F. Bedford	Howard G. Early	Ben W. Johnson
Reuben J. Boling	Garland Embry	J. H. Jones
Douglas Bolling	Walter R. Fannin	O. C. Jones
Ollie J. Bowen	T. P. Fitzpatrick	J. F. Ladd
Wallace Brown	H. Myer Garner	Leslie Larrimore
Jas. C. Carter	James Garnett, Jr.	T. B. McConnell
V. O. Chandler	G. W. Garrett	J. L. McDermott
Floyd Clark	Ferd A. Gnau	Lloyd MacDonald
Roscoe Claxon	Eugene Gough	W. F. McGary
George S. Clay	Ben Grogan	Elmer McGlothen
J. A. Coleman	C. L. Hammons	C. S. Matherly
Roy Conway	W. L. Hampton, Jr.	G. S. Milam
Herbert Cook	Thomas W. Hines	W. H. Miller
Harry Davis	Price Holbrook	John B. Mollett
Sam Dever	Clyde S. Howard	W. E. Mull

Rodes K. Myers	A. W. Ross	J. J. Thomas
J. C. Nickell	Carl Scheben	R. Van Bever, Jr.
Russell O'Neill	Ray O. Shehan	S. J. Wagner
Mel Petry	Dr. B. F. Shields	Joseph L. Wall
A. W. Pfeiffer	P. L. Sidebottom	Henry Ward
Hobart Rayburn	Bruce Sloan	L. R. Wells
L. K. Rice	H. C. Steely	W. G. Williams
Joe E. Robinson	Henry Stewart	Charles Wylie
John C. Robinson	Dr. H. S. Swope	
W. T. Rollo	W. R. Tapp	—79

Those who voted in the negative were—

Chas. P. Farnsley Chester D. Silvers —2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Dr. Shields moved that the House do now recess until two o'clock P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION.

The hour of two o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

A Message was received from the Senate, announcing that they had passed bills which originated in that body, entitled:

S. B. 73. An Act providing for the formation and con-

duct of burial associations, among the employees of one employer.

S. B. 22. An Act to amend Section 4821, Kentucky Statutes, relating to weights and measures.

S. B. 153. An Act amending and re-enacting Section 2241, Kentucky Statutes, 1930 Edition.

Ordered that said bills be printed and referred to Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 15. Resolution for the relief of R. G. Holbrook, sheriff of Owen County, Kentucky, for mileage and expenses incurred by him as agent for the Commonwealth of Kentucky.

Said resolution is as follows, viz.:

Whereas, R. G. Holbrook on March 16, 1934, was duly appointed by the Governor of the Commonwealth of Kentucky as agent of the Commonwealth to go to Greenville, North Carolina, to present requisition papers of this Commonwealth to the Governor of North Carolina and to bring back William Orville Reed, a fugitive from the justice of this State, under indictment for felony in Owen County, Kentucky; and

Whereas, Said R. G. Holbrook, under said appointment, proceeded to the State of North Carolina and to the city of Greenville to bring back said fugitive but found on arrival there that said fugitive had escaped and that his whereabouts were unknown, although he enlisted the aid of North Carolina officers and made a thorough search for said fugitive, and was compelled to return to Kentucky without him; and

Whereas, The said R. G. Holbrook, in performing his said duty as agent aforesaid, incurred expenses and traveled 1,426

miles to and from North Carolina and paid a fee to the Governor of North Carolina for honoring said requisition, amounting in all to the sum of One Hundred and Two Dollars and Fifty-Six Cents ($102.56); and

Whereas, Said R. G. Holbrook has heretofore made demand of the Auditor of Public Accounts for payment of his said expenses and that said Auditor has refused to pay him, it appearing that under Section 1934 of the Kentucky Statutes, as construed by the Kentucky Court of Appeals, that payment can not be made where the agent of the Commonwealth returns without his prisoner: Therefore,

Be it Resolved by the Senate and House of Representatives:

That the said amount of One Hundred and Two Dollars and Fifty-Six Cents ($102.56) be and is hereby appropriated to be paid to the said R. G. Holbrook, and the Auditor of Public Accounts is directed to draw his warrant upon the Treasurer for said amount and deliver the same to R. G. Holbrook for the purpose aforesaid.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wallace Brown	Harry Davis
H. T. Baker	Jas. C. Carter	Sam Dever
W. T. Baker	Roscoe Claxon	Walter R. Fannin
Reuben J. Boling	J. A. Coleman	H. Myer Garner
Douglas Bolling	Herbert Cook	James Garnett, Jr.

G. W. Garrett	Elmer McGlothen	W. T. Rollo
Eugene Gough	C. S. Matherly	A. W. Ross
Thomas W. Hines	Duke Mayfield	Carl Schneider
Price Holbrook	W. H. Miller	Ray O. Shehan
Clyde S. Howard	W. E. Mull	Bruce Sloan
Ira W. Hulette	Tyler Munford	Henry Stewart
John M. Hunnicut	J. C. Nickell	Dr. H. S. Swope
J. H. Jones	Russell O'Neill	J. J. Thomas
O. C. Jones	Mel Petry	R. Van Bever, Jr.
J. F. Ladd	A. W. Pfeiffer	S. J. Wagner
Leslie Larrimore	J. C. Ramey	Henry Ward
J. L. McDermott	Hobart Rayburn	L. R. Wells
Lloyd MacDonald	L. K. Rice	W. G. Williams
W. F. McGary	Wade H. Riley	Charles Wylie

—57

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 174. An Act to provide for the certification of property assessment in annexed territory to the annexing authority; to provide for the equalization of such assessment and levy of tax thereon by the annexing authority.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all assessments of property heretofore made or hereafter made in territory annexed thereafter to another

civil division, prior to such annexation shall be certified by the assessor making the same, to the annexing civil division and by the proper authority thereof, submitted to its board of equalization to be equalized as provided by law; and when so equalized the regular annual tax of the annexing division shall be levied by the proper authority thereof and placed upon its tax bills made therefor and collected as its other taxes; and said taxes if allowed to become delinquent, shall be subject to the same interest and penalty charged and enforced in the manner provided by the law governing such annexing division.

§ 2. Should the equalization board be about to adjourn when, or have adjourned before said assessment is certified as provided in the preceding section, the time of such board may be extended for a reasonable time or it shall be reconvened for the purpose of passing upon such certified assessment; and should, for any reason, such assessment and equalization be completed after the regular levy of taxes for that year have been levied, a levy may thereafter be made as soon as practicable for that year's tax.

§ 3. Whereas territories in this state have been annexed at the last election, and the property therein could otherwise not be taxed for the ensuing year because the levies are directed in the months of March nad April, an emergency is hereby declared to exist and this act shall take effect immediately upon its passage.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. L. Hampton, Jr.	Mel Petry
H. T. Baker	Thomas W. Hines	A. W. Pfeiffer
W. T. Baker	Clyde S. Howard	J. C. Ramey
B. F. Bedford	Ira W. Hulette	Hobart Rayburn
Reuben J. Boling	John M. Hunnicut	L. K. Rice
Douglas Bolling	J. H. Jones	W. T. Rollo
Wallace Brown	O. C. Jones	Carl Scheben
Jas. C. Carter	J. F. Ladd	Carl Schneider
Roscoe Claxon	Leslie Larrimore	Ray O. Shehan
George S. Clay	T. B. McConnell	Bruce Sloan
J. A. Coleman	J. L. McDermott	H. C. Steely
Herbert Cook	Lloyd MacDonald	Henry Stewart
Harry Davis	W. F. McGary	Dr. H. S. Swope
Sam Dever	Elmer McGlothen	J. J. Thomas
Howard G. Early	C. S. Matherly	R. Van Bever, Jr.
Walter R. Fannin	Duke Mayfield	S. J. Wagner
T. P. Fitzpatrick	W. H. Miller	Joseph L. Wall
H. Myer Garner	W. E. Mull	L. R. Wells
James Garnett, Jr.	Tyler Munford	W. G. Williams
G. W. Garrett	Rodes K. Myers	Charles Wylie
Eugene Gough	J. C. Nickell	
Ben Grogan	Russell O'Neill	—64

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Hines:

H. B. 558. An Act appropriating five thousand dollars

to be used toward the creating of a Memorial Park in commemoration of "Kentucky's first blood in the war of the rebellion" in honor of the Union and Confederate soldiers of Kentucky who engaged in said battle, said park to be known and designated as the "Allen Memorial Park," providing said five thousand dollars shall not be withdrawn from the treasury until the deed in fee simple title, free from encumbrance, has been executed and delivered to the Kentucky State Park Commission for five (5) acres of land located about two (2) miles from Morgantown, Butler County, Ky., the present marker indicating the exact place where Granville Allen was killed to be the center.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the sum of Five Thousand ($5,000) Dollars is hereby appropriated out of any funds in the Treasury of Kentucky not otherwise appropriated to be used toward the creation of a Memorial Park in commemoration of "Kentucky's first blood in the War of the Rebellion" and in honor of the Union and Confederate Soldiers of Kentucky who engaged in that battle. Said park to be known and designated as "Allen's Memorial Park", but said Five Thousand ($5,000) Dollars herein appropriated shall be paid out by the State Treasury of the State of Kentucky until there has been delivered to the Kentucky State Park Commission a deed in fee simple title free from all encumbrances, a title to five (5) acres of land located about two (2) miles from Morgantown, Butler County, Ky., on Highway 71, the present marker indicating the exact place where Allen was killed, being the center.

§ 2. When conditions provided for in Section 1 of this Act have been complied with, it shall be the duty of the Kentucky State Park Commission to at once establish and forever maintain a State Park upon and within the grounds de-

scribed in Section 1 of this Act for the benefit and enjoyment of the people of Kentucky and the Five Thousand ($5,000) Dollars herein appropriated shall be paid out by the State Treasury of Kentucky to the Kentucky State Park Commission upon the warrant of the Auditor of Public Accounts of Kentucky, which shall be drawn by said Auditor upon an order signed by the Chairman or Vice-Chairman of the Kentucky State Park Commission, and said sum shall be used by said Kentucky State Park Commission in fencing and beautifying said park, and in erecting a monument "in memory of the Granville Allen, who was killed at this place October 27, 1861, and all Union and Confederate soldiers who were engaged in this battle."

By same:

H. B. 559. An Act to amend and re-enact Section 4115, Kentucky Statutes, Carroll's Edition, 1930, relating to the appointment of county tax supervisors.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4115, Kentucky Statutes, Carroll's Edition, 1930, be amended and re-enacted so that when amended it shall read as follows:

The county judge shall, at the January term of each year, appoint all the justices of the peace of their respective counties who shall constitute the board of supervisors of tax therein. After having made the appointment of supervisors in any year, the judge shall immediately forward the names thereof to the state tax commission.

To Committee on Rules.

At the instance of the Committee on Rules, the House

took up for consideration from the Orders of the Day, a bill entitled:

H. B. 252. An Act for the conservation of Natural Gas and prevention of its waste.

With a Committee Amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That natural gas shall not be permitted to waste or escape from any well or pipe line, when it is reasonably possible to prevent such waste, after the owner or operator of such gas, or well, or pipe line, has had a reasonable length of time to shut in such gas in the well, or make the necessary repairs to such well or pipe line to prevent such waste: Provided, however, that (a) if, in the process of drilling a well for oil or gas, or both, gas is found in such well, and the owner or operator thereof desires to continue to search for oil or gas, or both, by drilling deeper in search of lower oil or gas-bearing strata, or (b) if it becomes necessary to make repairs to any well producing gas, commonly known as "cleaning out", and if in either event it is necessary for the gas in such well to escape therefrom during the process of drilling or making repairs, as the case may be, then the owner or operator of such well shall prosecute such drilling or repairs with reasonable diligence, so that the waste of gas from the well shall not continue longer than reasonably necessary, and if, during the progress of such deeper drilling or repairs, any temporary suspension thereof becomes necessary, the owner or operator of such well shall use all reasonable means to shut in the gas and prevent its waste during such temporary suspension: Provided further, That in all cases where both oil and gas are found and produced from the same oil and gas-bearing stratum and where it is necessary for the

gas therefrom to waste in the process of producing the oil, the owner or operator shall use all reasonable diligence to conserve and save from waste so much of such gas as it is reasonably possible to save.

In case of waste arising under this Act, the presumption may be indulged that such waste was due to the negligence of the operator.

Any violation of this Act or any provision thereof shall be a misdemeanor and upon conviction for such violation the offender shall be fined not exceeding one thousand ($1,000) dollars. If the offender be a natural person, he shall be imprisoned not less than ten (10) days nor more than one (1) year at the discretion of the jury.

Said Committee amendment is as follows, viz.:

Amend H. B. 252 by striking out of line 30, the words and figures one thousand dollars ($1,000.00) and insert in lieu thereof the words and figures Two Hundred Dollars ($200.00) and strike out in line 32 the words and figures one (1) year and insert in lieu thereof the words six months.

Each day's violation of this Act shall constitute a separate offense.

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ben Grogan	Hobart Rayburn
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Joe E. Robinson
H. T. Baker	Thomas W. Hines	John C. Robinson
W. T. Baker	Price Holbrook	A. W. Ross
B. F. Bedford	Clyde S. Howard	Carl Schneider
Reuben J. Boling	Ira W. Hulette	Ray O. Shehan
Douglas Bolling	John M. Hunnicut	Dr. B. F. Shields
Ollie J. Bowen	Ben W. Johnson	P. L. Sidebottom
Wallace Brown	J. H. Jones	Chester D. Silvers
Jas. C. Carter	J. F. Ladd	Bruce Sloan
Roscoe Claxon	Leslie Larrimore	H. C. Steely
George S. Clay	T. B. McConnell	Henry Stewart
J. A. Coleman	J. L. McDermott	Dr. H. S. Swope
Roy Conway	Lloyd MacDonald	W. R. Tapp
Herbert Cook	W. F. McGary	J. J. Thomas
Harry Davis	C. S. Matherly	R. Van Bever, Jr.
Sam Dever	Duke Mayfield	S. J. Wagner
George W. Dunlap	Tyler Munford	Joseph L. Wall
Walter R. Fannin	Rodes K. Myers	Henry Ward
T. P. Fitzpatrick	J. C. Nickell	L. R. Wells
H. Myer Garner	Russell O'Neill	W. G. Williams
James Garnett, Jr.	Mel Petry	Charles Wylie
G. W. Garrett	A. W. Pfeiffer	
Eugene Gough	J. C. Ramey	—70

Resolved that the title thereof be as aforesaid.

Mr. Larrimore moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 116. An Act authorizing fiscal courts in counties having one or more cities of the second class to appropriate county funds for the aid and benefit of "Dependent" children committed to recognized associations, institutions, or corporations situated in such counties, and which embraces in its purposes the care, guardianship, and subsistence of children, and stipulating limitation of appropriation therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. *Appropriation by Fiscal Court.* That the fiscal court of each county of the state having one or more cities of the second class may levy, collect and disburse such sums of money from the general funds of its county as may be necessary to comply with the provisions of this act.

§ 2. *The Dependent Children's Relief.* That each county having one or more cities of the second class may contribute to the support of each dependent child living within and under the care, guardianship, and subsistence of any recognized association, institution, or corporation, being and lying within such county, which embraces in its purposes the care, guardianship, and subsistence of dependent children, a sum not to exceed One Hundred ($100.00) Dollars per annum to each such dependent child, said sum to be known as "The Children's Relief", and payable quarterly in equal installments due in the months of February, May, August, and November, and on the first day thereof.

§ 3. *Children Eligible to Aid; Application; Procedure.* That before any such dependent child shall be entitled to the benefits of this act, such child must first have been duly and regularly registered, and accepted as a ward of such association, institution, or corporation, at least ninety days prior to application for the benefits of this act, and such association, institution, or corporation must file in the office of the clerk of the county an affidavit sworn to by the superin-

tendent or other executive officer of the association, institution, or corporation making the application, in support of the acceptance and registration of such child as contained in the application; also the said superintendent or other executive officer, shall file therewith a petition declaring the child named in the application a dependent child. The said clerk of the county shall thereafter refer the application and petition to the county judge, who shall make diligent investigation as to the eligibility of the child as a "Dependent Child" as defined by Section 331e-1 of Carroll's Kentucky Statutes of Edition of 1930. If it be determined that the child is a "Dependent Child", he shall thereafter commit said child to the association, institution, or corporation making the application, and said child shall be entitled to the benefits as herein provided.

§ 4. This act shall take effect and be in force from and after its passage.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Jas. C. Carter	George W. Dunlap
H. T. Baker	Roscoe Claxon	Walter R. Fannin
W. T. Baker	George S. Clay	T. P. Fitzpatrick
B. F. Bedford	J. A. Coleman	H. Myer Garner
Reuben J. Boling	Roy Conway	James Garnett, Jr.
Douglas Bolling	Herbert Cook	G. W. Garrett
Ollie J. Bowen	Harry Davis	Eugene Gough
Wallace Brown	Sam Dever	Ben Grogan

W. L. Hampton, Jr.	W. F. McGary	Ray O. Shehan
Thomas W. Hines	C. S. Matherly	Chester D. Silvers
Price Holbrook	Duke Mayfield	Bruce Sloan
Clyde S. Howard	W. H. Miller	H. C. Steely
Ira W. Hulette	Tyler Munford	Henry Stewart
John M. Hunnicut	J. C. Nickell	Dr. H. S. Swope
Ben W. Johnson	Russell O'Neill	J. J. Thomas
J. H. Jones	Mel Petry	R. Van Bever, Jr.
J. F. Ladd	A. W. Pfeiffer	S. J. Wagner
Leslie Larrimore	J. C. Ramey	Joseph L. Wall
M. T. McCarthy	Hobart Rayburn	L. R. Wells
T. B. McConnell	Joe E. Robinson	W. G. Williams
J. L. McDermott	John C. Robinson	Charles Wylie
Lloyd MacDonald	Carl Schneider	

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Resolved that the title thereof be as aforesaid.

Mr. Hunnicut moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the following bill was introduced:

H. B. 560. An Act to amend and re-enact Section 4502-3, (a) (1) Carroll's Kentucky Statutes, Baldwin's Edition of 1934, the same being Article VII, Section 3, subsection (a) (1), Chapter 65, Acts of General Assembly of 1934, providing for qualifications of teachers.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4502-3, (a) (1), Carroll's Kentucky Statutes, Baldwin's Edition of 1934, the same being Article VII, Section 3, subsection (a) (1), Chapter 65, Acts of Gen-

eral Assembly of 1934, be and the same is amended and re-enacted so that when so amended and re-enacted it shall read as follows:

(1) Provisional elementary certificate.—The provisional elementary certificate, valid for three years, shall be issued to a person who has completed a curriculum of one year (32 semester hours) for the training of elementary teachers in a standard college or university, and which curriculum meets the minimum standards prescribed by the State Board of Education for the issuance of such certificate. This certificate may be reissued or renewed after two years' teaching experience during the life of the certificate or upon the presentation of one-half year (16 semester hours) of additional standard college or university work earned during the life of the certificate and prescribed in the same manner as for the original issue, and may be renewed thereafter upon the presentation of one-half year (16 semester hours) of additional standard college or university work earned during the life of the certificate and prescribed in the same manner as for the original issue.

Ordered that said bill be printed and referred to the Committee on Rules.

Mr. Hunnicut offered the following resolution, viz.:

Whereas, due to the great pressure upon the members of the House of Representatives from any sources, and

Whereas, the members of the aforesaid body are in a constant nervous state, and

Whereas, the herculean pounding of the gavel by the lion-hearted Charles Leo Hilker, Sergeant-at-Arms of the aforesaid body, adds painfully to an already painstricken body: Now, Therefore,

Be It Resolved, That Charles Leo Hilker, Sergeant-at-Arms, shorten his stroke and reduce the noise to the degree and intensity of a woodpecker or such a similar tapping.

Said resolution was adopted.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 39. An Act to repeal and re-enact sections one, two, four, six and seven of Article IX of the Acts of the General Assembly of 1934, being Sections 4506-1, 4506-2, 4506-4, 4506-6, 4506-7, Kentucky Statutes, Carroll's Edition, 1934 Supplement, pertaining to the retirement of teachers from the common schools of the State of Kentucky and extending the privileges of said statutes to include cities of the third class as well as cities of the first and second classes, and declaring the existence of an emergency and providing for the repeal of all acts and parts of acts which may be inconsistent therewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That sections one, two, four, six and seven of Article nine of the Acts of the General Assembly of 1934, being Sections 4506-1, 4506-2, 4506-4, 4506-6, 4506-7, Kentucky Statutes, Carroll's Edition 1934, Supplement, be and the same are hereby repealed and re-enacted so that as and when re-enacted said sections shall read as follows:

Section 4506-1. Boards of Education of Independent school districts embracing cities of the first, second, and third classes may and are hereby empowered to establish retirement systems for the purpose of providing retirement allowances and other benefits for teachers and other school employees. A retirement system so created shall have the powers and privileges of a corporation and shall be known as "The Teachers' Retirement System of the Schools of ....., Kentucky," and by such name all of its busi-

ness shall be transacted, all of its funds invested, and all of its cash and securities and other property held.

Section 4506-2. In independent school districts embracing cities of the first, second and third classes which are already operating insurance and annuity systems, for teachers or for teachers and other employees, full authority to adopt, modify, change or revise the present systems, including pensions already granted, is by this act conferred upon the boards of education, of such school districts, subject to the approval of the board or governing body of the existing system and subject also to the provisions hereinafter stated.

Section 4506-4. Each board of trustees of retirement systems in independent school districts embracing cities of the first, second and third classes may adopt, subject to the provisions of this act, such regulations as are necessary to the effective operation of the retirement systems without regard to regulations adopted by any other such board of trustees.

Section 4506-6. The participating teachers and other employees, and the board of education in districts in which such retirement system is continued, reorganized or established may contribute to the retirement fund and the rates of the contribution shall be fixed by the board of trustees of the retirement system on the basis of careful actuarial investigations, and shall be adequate and sufficient to support the benefits granted in the system set up; provided that the total contribution of the board of education shall be at least the equal of the total contributions of the members of the system. The board of trustees of the retirement system may increase or decrease the rates of contribution whenever such action is deemed by them to be necessary to preserve the solvency and equity of the system as determined by actuarial studies, provided that the contribution of the board of education of a city of the first class shall in no case exceed the returns from a tax rate of four and one-half cents (4½c) on each one hundred dollars ($100) of assessed valuation subject

to local school tax in said district, and that the contribution of a board of education of a city of the second or third class shall in no case exceed the returns from a tax rate of four cents (4c) on each one hundred dollars ($100) of assessed valuation subject to local school tax in said district.

Section 4506-7. It shall be the duty of the board of education in cities of the second and third classes, the board of aldermen in cities of the first class, or such other agency to which the General Assembly may in the future delegate the function of levying taxes for local school purposes in independent school districts embracing cities of the first, second and third classes, to levy the tax rate recommended by the board of trustees of the retirement system; provided that the rate of taxation in a city of the first class shall not exceed four and one-half cents (4½c) on each one hundred dollars ($100) of assessed valuation subject to local school tax in said district, and provided the rate of taxation in a city of the second or third class shall not exceed four cents (4c) on each one hundred dollars ($100) of assessed valuation subject to local school tax in said district.

On account of the immediate necessity for the inauguration of retirement systems to take care of infirm and incapacitated teachers, an emergency is declared to exist and this act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor.

All laws or parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. L. Hampton, Jr.	Hobart Rayburn
C. W. Anderson, Jr.	Thomas W. Hines	Joe E. Robinson
H. T. Baker	Price Holbrook	John C. Robinson
W. T. Baker	Clyde S. Howard	A. W. Ross
B. F. Bedford	Ira W. Hulette	Carl Schneider
Reuben J. Boling	Ben W. Johnson	Ray O. Shehan
Douglas Bolling	J. H. Jones	Dr. B. F. Shields
Wallace Brown	O. C. Jones	P. L. Sidebottom
Roscoe Claxon	J. F. Ladd	Chester D. Silvers
George S. Clay	Leslie Larrimore	Bruce Sloan
J. A. Coleman	T. B. McConnell	H. C. Steely
Roy Conway	J. L. McDermott	Henry Stewart
Herbert Cook	Lloyd MacDonald	Dr. H. S. Swope
Harry Davis	W. F. McGary	J. J. Thomas
Sam Dever	C. S. Matherly	R. Van Bever, Jr.
George W. Dunlap	Duke Mayfield	S. J. Wagner
Walter R. Fannin	Rodes K. Myers	Joseph L. Wall
H. Myer Garner	J. C. Nickell	Henry Ward
James Garnett, Jr.	Russell O'Neill	L. R. Wells
G. W. Garrett	Mel Petry	Charles Wylie
Eugene Gough	A. W. Pfeiffer	
Ben Grogan	J. C. Ramey	—64

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 78. An Act prohibiting the sale, disposition of, severance, cutting, or removal of standing timber (other than a reasonable amount for firewood and fencing), houses, build-

ings, barns, soil, minerals, and improvements in the nature of fixtures real, from lands covered by mortgages or vendors' liens, without the written consent of the record holders of said mortgages or liens, and providing penalties therefor, and repealing any and all acts or parts of acts, or laws or parts of laws in conflict herewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any person, firm or corporation who shall, in person or by agent, fraudulently sell, dispose of, sever, or remove from his land, on which there is at the time a recorded and unsatisfied mortgage or vendor's lien, any standing timber, houses buildings, barns, soil, minerals, or improvements in the nature of fixtures real, which are covered by said mortgage or lien, without the written consent of the record holder of said mortgage or lien, such person, firm or corporation shall, if such disposition, sale, severance, cutting or removal impairs the value of the mortgage or lien security in an amount exceeding $50.00, be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than $10.00 nor more than $500.00, or by confinement in the county jail for a period of not less than ten (10) days nor more than six (6) months, either or both, in the discretion of the jury.

§ 2. The selling, disposing of, severance, cutting or removal of said property in said amount and without the written consent of the record holder of said mortgage or vendor's lien, shall constitute prima facie evidence of fraud.

§ 3. Nothing in this Act shall prevent the person in possession of said land from cutting a reasonable amount of said standing timber for his own firewood or for the repair of fences or buildings on said land, nor shall anything in this Act prevent the person in possession of said land from removing and using a reasonable amount of coal or gas under-

lying said land, for the domestic use of the family of the person in possession.

§ 4. Any term used in the singular may, as required by the context hereof, be read as plural and vice versa. And any term in the masculine gender shall include the feminine and neuter genders as well.

§ 5. If any provision of this Act shall be held invalid, the remainder of the Act shall not be affected thereby.

§ 6. All Acts or parts of Acts, and all laws or parts of laws, in conflict herewith, are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Walter R. Fannin	J. F. Ladd
C. W. Anderson, Jr.	T. P. Fitzpatrick	Leslie Larrimore
H. T. Baker	H. Myer Garner	T. B. McConnell
W. T. Baker	James Garnett, Jr.	J. L. McDermott
B. F. Bedford	G. W. Garrett	W. F. McGary
Reuben J. Boling	Eugene Gough	Elmer McGlothen
Douglas Bolling	Ben Grogan	C. S. Matherly
Ollie J. Bowen	W. L. Hampton, Jr.	Duke Mayfield
Wallace Brown	Thomas W. Hines	W. H. Miller
Jas. C. Carter	Price Holbrook	Rodes K. Myers
Roscoe Claxon	Clyde S. Howard	J. C. Nickell
J. A. Coleman	John M. Hunnicut	Russell O'Neill
Herbert Cook	Ben W. Johnson	Mel Petry
George W. Dunlap	J. H. Jones	A. W. Pfeiffer
Howard G. Early	O. C. Jones	J. C. Ramey

Joe E. Robinson	P. L. Sidebottom	S. J. Wagner
John C. Robinson	Chester D. Silvers	Joseph L. Wall
A. W. Ross	H. C. Steely	Henry Ward
Carl Schneider	Henry Stewart	L. R. Wells
Ray O. Shehan	Dr. H. S. Swope	W. G. Williams
Dr. B. F. Shields	R. Van Bever, Jr.	Charles Wylie

—63

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 79. An Act relating to real estate mortgages and vendors' liens, and providing that said mortgages and liens shall follow standing timber, buildings, minerals, and improvements in the nature of fixtures real, which are included in said mortgages or liens, and which are purchased or removed or severed, without the written consent of the record holder of said mortgage or lien, and converted to the use of another; and further providing for liability for such acts and the measure of damage therefor; and declaring the existence of an emergency, and providing that said act shall become effective immediately upon its passage and approval by the Governor; and repealing all acts and parts of acts and all laws and parts of laws, in conflict herewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any person, firm or corporation who shall, with

actual or constructive notice of a recorded real estate mortgage or vendor's lien, and without the written consent of the record holder of same, purchase or sever or remove from the land covered by said mortgage or lien, any standing timber, buildings, minerals, or improvements in the nature of fixtures real, covered by and included in said mortgage or lien, and who shall convert same to his own use, shall take same subject to said mortgage or vendors' liens, and the respective priorities thereof, and shall be liable to the holders of said mortgages or liens for a return of same or for the reasonable market value of said property at the time of the purchase or severance or removal and conversion thereof (at the option of the holder of said mortgage or lien), provided, however, that no holder of a mortgage or a vendor's lien shall recover more than the amount of the indebtedness secured by his mortgage or vendor's lien; and provided further that any and all amounts recovered by the said holder of said mortgage or vendor's lien shall be credited on the indebtedness secured thereby.

§ 2. Any term used in the signular may, as required by the context hereof, be read as plural and vice versa. And any term used in the masculine gender shall include the feminine or neuter genders as well.

§ 3. If any provision of this Act shall be held invalid, the remainder of the Act shall not be affected thereby.

§ 4. Because of the fact that a great amount of existing indebtedness is secured by mortgages and vendors' liens on real estate situated within the Commonwealth of Kentucky; and because of the fact that the security of great numbers of said mortgages and vendors' liens is being endangered, impaired and destroyed in the manners above set forth; and because of the fact that the existing laws do not afford adequate security to said holders of said mortgages or vendors' liens; and because of the fact that, for said reasons, the procurement of loans or credit on such security is becoming difficult and is being curtailed and terminated by certain large

and important lending agencies, both public and private; and because of the fact that the continuance of the granting of loans and the advancement of credit, based upon and secured by real estate mortgages and vendors' liens, is necessary for the best interests and general welfare of the people of Kentucky—an emergency is hereby declared to exist, and this Act shall become of full force and effect immediately upon its passage and approval by the Governor.

§ 6. All Acts and parts of Acts, and all laws and parts of laws, in conflict herewith, are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	George W. Dunlap	J. H. Jones
C. W. Anderson, Jr.	Howard G. Early	O. C. Jones
H. T. Baker	Walter R. Fannin	J. F. Ladd
W. T. Baker	T. P. Fitzpatrick	Leslie Larrimore
Reuben J. Boling	H. Myer Garner	M. T. McCarthy
Douglas Bolling	G. W. Garrett	T. B. McConnell
Ollie J. Bowen	James Garnett, Jr.	J. L. McDermott
Wallace Brown	Eugene Gough	W. F. McGary
Jas. C. Carter	Ben Grogan	Elmer McGlothen
Roscoe Claxon	W. L. Hampton, Jr.	John Marshall
J. A. Coleman	Thomas W. Hines	C. S. Matherly
Roy Conway	Price Holbrook	Duke Mayfield
Herbert Cook	Clyde S. Howard	Rodes K. Myers
Harry Davis	John M. Hunnicut	J. C. Nickell
Sam Dever	Ben W. Johnson	Russell O'Neill

Mel Petry	Ray O. Shehan	S. J. Wagner
A. W. Pfeiffer	Dr. B. F. Shields	Joseph L. Wall
J. C. Ramey	Chester D. Silvers	Henry Ward
Joe E. Robinson	H. C. Steely	L. R. Wells
John C. Robinson	Henry Stewart	W. G. Williams
A. W. Ross	Dr. H. S. Swope	Charles Wylie
Carl Schneider	W. R. Tapp	—65

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 15. An Act amending Section Three Thousand Five Hundred Forty-Five (3545) of Carroll's Kentucky Statutes, 1930 Edition, relating to cities of the fourth class, by repealing and re-enacting said section in amended form; said Section 3545, as re-enacted, providing for the appointment of a tax collector for cities of the fourth class, fixing his qualifications, oath, bond, and providing for his compensation, and authorizing the city council of cities of the fourth class to impose upon the city treasurer or the clerk of the council the duties of tax collector, and, upon the clerk, the further duty of collecting street improvement taxes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section Three Thousand Five Hundred Forty-Five (3545) of Carroll's Kentucky Statutes, Nineteen Hundred Thirty (1930) Edition, relating to the charter of cities of the

fourth class, be, and the same is hereby, repealed and re-enacted in amended form as Section Three Thousand Five Hundred Forty-Five (3545), Subsections 1, 2, 3, so as to authorize the board of council of cities of the fourth class to provide by ordinance that the clerk of the council shall perform the duties of city tax collector, and to further provide by ordinance, if the council see fit, that the clerk of the council shall be charged with the collection of local taxes for street improvements; so that said section, as re-enacted, shall read as follows:

Section 3535-1. *Appointment of collector; qualifications, oath and bond; compensation; council may make either treasurer or clerk of council collector; may make clerk collector of street improvement taxes.* At any regular meeting of the council they may appoint a collector, who shall hold his office for two years from his appointment, and until his successor is appointed and qualified. The collector shall be over twenty-four years of age, and a resident of the city for six months before his appointment. Before he enters upon his duties he shall take an oath to faithfully perform his duties as collector, and execute bond, with security, to be approved by the council, conditioned for the faithful performance of his duties, and to pay over to the person or persons entitled thereto all moneys that may come into his hands as such collector. It shall be the duty of said collector to collect all dues owing to the city placed in his hands. The council shall fix by ordinance, previous to his appointment, the compensation for his services. All dues owing to the city may be collected by the chief of police. The board of council, however, may by ordinance provide that the treasurer shall perform the duties of collector, or it may by ordinance provide that the clerk of the council shall possess the qualifications of collector and in such case may further provide by ordinance that the clerk of the council shall perform the duties of collector. No demand shall be necessary for the collection of said taxes but the same shall be payable at the office of the town treas-

urer, or at the office of the clerk of the council as may by ordinance be provided.

2. In all cases in which the council shall require the clerk of the council to perform the duties of collector, as herein authorized, it shall also by ordinance provide that he shall take the same oath and execute the same bond, before entering upon the duties of his office, as is now required by law of the city treasurer, except that the words "clerk of the council" shall be substituted for "treasurer" in said bond. It shall also provide in said ordinance for the appointment by the mayor of a special auditing committee to be composed of three members of the council, of which the chairman of the finance committee shall be ex officio chairman, and it shall be the duty of such committee, after the city tax bills shall have been made out by the clerk from the schedules as at present required, carefully to check said bills against said schedules and correct any errors which may have been made, and for the performance of this task said committee may engage such clerical help as the council may think proper, and thereupon the chairman of said committee shall sign said tax bills as "Finance Chairman" and turn them over to said clerk of the council as collector, taking his receipt therefor in duplicate, showing the number of said bills so delivered and the aggregate amount thereof; and in cases where school and city taxes are required by law to be placed upon the same bills said receipt shall show the aggregate amount of school taxes and city taxes separately and a copy of said receipt shall be certified to the board of education. And said clerk, as such collector, shall have all the powers and responsibilities as are now conferred and imposed upon city tax collectors, and he shall be dealt with by other officers as other city collectors. Where the duties of collector are imposed upon said clerk after his election, he may be allowed by the council a reasonable compensation for the added duties for the remainder of his unexpired term.

3. In all cases in which the council shall require the

clerk of the council to perform the duties of collector as herein authorized, it may further provide by ordinance that all local taxes due or to become due for improvement of streets under Section 3563, Carroll's Kentucky Statutes, whether said taxes have already been assessed or shall thereafter be assessed, shall be payable to said clerk of the council, at his office, instead of at the office of the city treasurer, as now provided by Section 3563; and in such case the clerk of the council shall keep in his office, in a book to be provided for that purpose, a record of all assessments, of local taxes thereafter assessed as provided in said section, showing the name and portion of the street in which the improvement is made, the character of the improvement and the names of the persons against whose property the assessments are made, or, if the assessments have already been made, the book or books showing such record shall be delivered to said clerk of the council. Upon payment of any improvement tax to the clerk of the council, he will make proper entry thereof in the record book herein provided for, whereupon the lien for such tax shall stand released. Said clerk shall carefully keep a separate account of the fund arising from assessments for each particular improvement, and each of said funds shall, upon the order of the council, be turned over to the city treasurer who shall also keep a separate account of said funds, and thereafter same shall be applied as is now provided by said Section 3563. And in all such cases said clerk shall have the same power to coerce payment of said local taxes as is now possessed by the city treasurer.

The provisions of this act are hereby declared to be severable, and the invalidity of one part shall not affect the validity of any other part.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
Roscoe Claxon
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
George W. Dunlap
Howard G. Early
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Eugene Gough
Ben Grogan
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
Leslie Larrimore
M. T. McCarthy
T. B. McConnell
J. L. McDermott
W. F. McGary
Elmer McGlothen
John Marshall
C. S. Matherly
Duke Mayfield
W. H. Miller
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
J. C. Ramey
Hobart Rayburn
Joe E. Robinson
John C. Robinson
A. W. Ross
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—65

Resolved that the title thereof be as aforesaid.

Mr. Grogan moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 184. An Act to regulate the practice of professional engineering; creating a State Board of Registration for Professional Engineers; defining its powers and duties; also imposing certain duties upon the state and political subdivisions thereof in connection with public work; and providing penalties.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. General Provisions.—Any person practicing or offering to practice the profession of engineering shall hereafter be required to submit evidence that he is qualified so to practice and shall be registered as hereinafter provided; and it shall be unlawful for any person to practice or to offer to practice the profession of engineering in this state, or to use in connection with his name or otherwise assume, use, or advertise any title or description tending to convey the impression that he is a professional engineer, unless such person has been duly registered or exempted under the provisions of this act.

§ 2. Definitions.—The term "professional engineer" as used in this act shall mean a person who, by reason of his knowledge of mathematics, the physical sciences, and the principles of engineering, acquired by professional education and practical experience, is qualified to engage in engineering practice.

The term "board" as used in this act shall mean the State Board of Registration for Professional Engineers, provided for by this act.

§ 3. State Board of Registration for Professional Engineers—Appointment of Members—Terms—A State Board of Registration for Professional Engineers is hereby created whose duty it shall be to administer the provisions of this act. The board shall consist of five professional engineres, as de-

fined in Section 2, who shall be appointed by the Governor and who shall have the qualifications required by Section 4 of this act. The members of the first board shall be appointed within ninety days after the passage of this act, to serve for the following terms: One member for one year, one member for two years, one member for three years, one member for four years, and one member for five years, from the date of their appointment, or until their successors are duly appointed and qualified. Every member of the board shall receive a certificate of his appointment from the Governor and before beginning his term of office shall file with the Secretary of State his written oath or affirmation for the faithful discharge of his official duty. Each member of the board first appointed hereunder shall receive a certificate of registration under this act from said board. On the expiration of the term of any member, the Governor shall in the manner hereinbefore provided appoint for a term of five years a registered professional engineer, having the qualifications required by Section 4, to take the place of the member whose term on said board is about to expire. Each member shall hold office until the expiration of the term for which such member is appointed or until a successor shall have been appointed and shall have qualified.

§ 4. Qualifications of Members of Board.—Each member of the board shall be a citizen of the United States and a resident of this state for at least five years, and shall have been engaged in the practice of the profession of engineering for at least twelve years, and shall have been in responsible charge of important engineering work for at least five years. Responsible charge of engineering teaching may be construed as responsible charge of important engineering work.

§ 5. Compensation and Expenses of Board Members.—Each member of the board shall be reimbursed for all actual traveling, incidental and clerical expenses necessarily in-

curred in carrying out the provisions of this act, but shall receive no other financial compensation.

§ 6. Removal of Members of Board—Vacancies.—The Governor may remove any member of the board for misconduct, incompetency, neglect of duty, or for any other sufficient cause. Vacancies in the membership of the board shall be filled for the unexpired term by appointment by the Governor as provided in Section 3.

§ 7. Organization and Meetings of the Board.—The board shall hold a meeting within thirty days after its members are first appointed, and thereafter shall hold at least two regular meetings each year. Special meetings shall be held at such time as the by-laws of the board may provide. Notice of all meetings shall be given in such manner as the by-laws may provide. The board shall elect or appoint annually the following officers: A chairman, a vice chairman and a secretary. A quorum of the board shall consist of not less than three members.

§ 8. Powers of the Board.—The board shall have the power to make all by-laws and rules, not inconsistent with the Constitution and laws of this state, which may be reasonably necessary for the proper performance of its duties and the regulations of the proceedings before it. The board shall adopt and have an official seal.

In carrying into effect the provisions of this act, the board may, under the hand of its chairman and the seal of the board, subpoena witnesses and compel their attendance, and also may require the production of books, papers, documents, etc., in a case involving the revocation of registration or practicing or offering to practice without registration. Any member of the board may administer oaths or affirmations to witnesses appearing before the board. If any person shall refuse to obey any subpoena so issued, or shall refuse to testify or produce any books, papers, or documents, the board may present its petition to the circuit court held in Frankfort, Kentucky, set-

ting forth the facts, and thereupon such circuit court shall, in a proper case, issue its subpoena to such person, requiring his attendance before such circuit court and there to testify or to produce such books, papers and documents, as may be deemed necessary and pertinent by the board. Any person failing or refusing to obey the subpoena or order of the said circuit court may be proceeded against in the same manner as for refusal to obey any other subpoena or order of the said circuit court.

§ 9. Receipts and Disbursements.—The secretary of the board shall receive and account for all moneys derived under the provisions of this act, and shall pay the same monthly to the State Treasurer, who shall keep such moneys in separate fund to be known as the "Professional Engineers' Fund." Such fund shall be kept separate and apart from all other moneys in the treasury, and shall be paid out only by warrant of the State Auditor upon the State Treasurer, upon itemized vouchers, approved by the chairman and attested by the secretary of the board. All moneys in the "Professional Engineers' Fund" are hereby specifically appropriated for the use of the board. The secretary of the board shall give a surety bond to this state in such sum as the board may determine. The premium on said bond shall be regarded as a proper and necessary expense of the board, and shall be paid out of the "Professional Engineers' Fund." The secretary of the board shall receive such salary as the board shall determine in addition to the expenses provided for in Section 5. The board may employ such clerical or other assistants as are necessary for the proper performance of its work, and may make expenditures of this fund for any purpose which in the opinion of the board is reasonably necessary for the proper performance of its duties under this act, including the expenses of the board's delegates to annual convention of, and membership dues to, the National Council of State Boards of Engineering Examiners. Under no circumstances

shall the total amount of warrants issued by the State Auditor in payment of the expenses and compensation provided for in this act exceed the amount of the examination and registration fees collected as herein provided.

§ 10. Records and Reports.—The Board shall keep a record of its proceedings and a register of all applications for registration, which register shall show (a) the name, age and residence of each applicant; (b) the date of the application; (c) the place of business of such applicant; (d) his educational and other qualifications; (e) whether or not an examination was required; (f) whether the applicant was rejected; (g) whether a certificate of registration was granted; (h) the date of the action of the board; and (i) such other information as may be deemed necessary by the Board.

The records of the Board shall be prima facie evidence of the proceedings of the Board set forth therein, and a transcript thereof, duly certified by the Secretary of the Board under seal, shall be admissible in evidence with the same force and effect as if the original were produced.

Annually, as of June 30, the Board shall submit to the Governor a report of its transactions of the preceding year, and shall also transmit to him a complete statement of the receipts and expenditures of the Board, attested by affidavits of its Chairman and its Secretary.

§ 11. Roster of Registered Engineers.—A roster showing the names and places of business of all registered professional engineers shall be prepared by the Secretary of the Board during the month of July of each year, commencing one year from the date this law becomes effective. Copies of this roster shall be mailed to each person so registered, placed on file with the Secretary of State, and furnished to the public upon request.

§ 12. General Requirements for Registration.—The following shall be considered as minimum evidence satisfactory

to the Board that the applicant is qualified for registration as a professional engineer, to wit:

As a Professional Engineer:

a. Graduation from an approved course in engineering of four years or more in a school or college approved by the Board as of satisfactry standing; and a specific record of an additional four years or more of active practice in engineering work of a character satisfactory to the board, and indicating that the applicant is competent to be placed in responsible charge of such work; or

b. Successfully passing a written, oral, or written and oral, examination designed to show knowledge and skill approximating that attained through graduation from an approved four-year engineering course; and a specific record of eight years or more of active practice in engineering work of a character satisfactory to the Board and indicating that the applicant is competent to be placed in responsible charge of such work.

At any time within three years after this act becomes effective the Board may accept as evidence that the applicant is qualified for registration as a professional engineer a specific record of twelve years or more of lawful active practice in engineering work of a character satisfactory to the Board and indicating that the applicant is qualified to design or to supervise construction of engineering works and has had responsible charge of important engineering work for at least five years and provided applicant is not less than thirty-five years of age.

After this act shall have been in effect three years, the Board shall issue Certificates of Registration only to those applicants who meet the requirements of Section 12, (a) or (b), or Section 21.

Provided, that no person shall be eligible for registration as a professional engineer, who is not of good character and reputation.

In considering the qualifications of applicants, responsible charge of engineering teaching may be construed as responsible charge of engineering work. The satisfactory completion of each year of an approved course in engineering in a school or college approved by the Board as of satisfactory standing, without graduation, shall be considered as equivalent to a year of active practice. Graduation in a course other than engineering from a college or university of recognized standing shall be considered as equivalent to two years of active practice; provided, however, that no applicant shall receive credit for more than four years of active practice because of educational qualifications. The mere execution, as a contractor, of work designed by a professional engineer, or the supervision of the construction of such work as a foreman or superintendent shall not be deemed to be active practice in engineering work.

Any person having the necessary qualifications prescribed in this act to entitle him to registration shall be eligible for such registration though he may not be practicing his profession at the time of making his application.

§ 13. Applications and Registration Fees.—Applications for registration shall be on forms prescribed and furnished by the Board, shall contain statements made under oath, showing the applicant's education and detail summary of his technical work, and shall contain not less than five references, of whom three or more shall be professional engineers having personal knowledge of his engineering experience.

The registration fee for professional engineers shall be twenty dollars ($20.00), ten dollars ($10.00) of which shall accompany application, the remaining ten dollars ($10.00) to be paid upon issuance of certificate. When a Certificate of qualification issued by the National Bureau of Engineering Registration is accepted as evidence of qualification, the total

fee for registration as professional engineer shall be ten dollars ($10.00).

§ 14. Examinations.—When examinations are required, they shall be held at such times and places as the Board shall determine. The scope of the examinations and the methods of procedure shall be prescribed by the Board with special references to the applicant's ability to design and supervise engineering works, which shall insure the safety of life, health, and property. Examinations shall be given for the purpose of determining the qualifications of applicants for registration in professional engineering. A candidate failing on examination may apply for re-examination at the expiration of six months and will be re-examined without payment of additional fee. Subsequent examination will be granted upon payment of a fee to be determined by the Board.

§ 15. Certificates, Seals.—The Board shall issue a certificate of registration upon payment of registration fee as provided for in this act, to any applicant who, in the opinion of the Board, has satisfactorily met all the requirements of this act. In case of a registered engineer, the certificate shall authorize the practice of "professional engineering." Certificates of registration shall show the full name of the registrant, shall have a serial number, and shall be signed by the Chairman and the Secretary of the Board under seal of the Board.

The issuance of a certificate of registration by this Board shall be evidence that the person named therein is entitled to all the rights and privileges of a registered professional engineer, while the said certificate remains unrevoked or unexpired.

Each registrant hereunder shall upon registration obtain a seal of the design authorized by the Board, bearing the registrant's name and the legend, "Registered Professional Engineer". Plans, specifications, plats, and reports issued by a registrant shall be stamped with the said seal and when

filed with public authorities, during the life of the registrant's certificate, but it shall be unlawful for any one to stamp or seal any documents with said seal after the certificate of the registrant named thereon has expired or has been revoked, unless said certificate shall have been renewed or reissued.

§ 16. Expirations and Renewals.—Certificates of registration shall expire on the last day of the month of December following their issuance or renewal and shall become invalid on that date unless renewed. It shall be the duty of the Secretary of the Board to notify every person registered under this Act, of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one year; such notice shall be mailed at least one month in advance of the date of the expiration of said certificate. Renewal may be effected at any time during the month of December by the payment of such fee as may be fixed by the Board, not to exceed ten dollars ($10.00). The failure on the part of any registrant to renew his certificate annually in the month of December as required above shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the month of December shall be increased ten per cent for each month or fraction of a month that payment of renewal is delayed; provided, however, that the maximum fee for delayed renewal shall not exceed twice the normal renewal fee.

§ 17. Firms, Partnerships, Corporations, and Joint Stock Associations.—A firm, or a co-partnership, or a corporation, or a joint stock association may engage in the practice of professional engineering in this state; provided such practice is carried on by professional engineers, registered in this state.

§ 18. Practitioners at Time Act Becomes Effective.—At any time within six months after this act becomes effective, upon due application therefor and the payment of the registration fee of twenty dollars ($20.00) for professional en-

gineers, the Board shall issue a certificate of registration, without oral or written examination, to any professional engineer who shall submit evidence under oath satisfactory to the Board that he is of good character, has been a resident of the state of Kentucky for at least one year immediately preceding the date of his application, and had been practicing professional engineering as his principal vocation, for at least one year prior to the date this Act became effective, and has had responsible charge of work of a character satisfactory to the Board.

After this Act shall have been in effect one year, the Board shall issue certificates of registration only as provided for in Section 12 or Section 21 thereof.

§ 19. Public Work.—After the first day of January, one thousand nine hundred and thirty-seven, it shall be unlawful for this state, or for any of its political sub-divisions, for any county, city, or town to engage in the construction of any public work involving professional engineering, unless the plans and specifications and estimates have been prepared by, and the construction executed under the direct supervision of, a registered professional engineer; or of a registered architect, provided, that nothing in this Section shall be held to apply to any public work wherein the contemplated expenditure for the completed project does not exceed two thousand dollars ($2,000.00).

§ 20. Exemptions.—The following persons shall be exempt from the provisions of this Act, to wit:

(a) Any employee, or a subordinate of a person holding a certificate of registration under this Act, or an employee of a person exempted from registration by this Section, or by any regulations set up by the Board; provided, his practice does not include responsible charge of design or supervision.

(b) Officers and employees of the Government of the United States while engaged within this State in the practice of the profession of engineering for said Government.

(c) All elective officers of the state, county or other political subdivision, while carrying out the duties of the office to which he was elected.

(d) An engineer engaged solely as an officer or employee of a privately owned public utility; or as an officer or employee of a corporation engaged in interstate commerce as defined in the Act of Congress entitled "An Act to regulate commerce", approved February fourth, one thousand eight hundred and eighty-seven as amended.

§ 21. Reciprocity.—The Board shall have the power to set up all regulations governing reciprocity, and may, upon application therefor and the payment of a fee of ten dollars ($10.00), issue a Certificate of Registration as a Professional Engineer to any person who holds a Certificate of Qualification or Registration issued to him by proper authority of the National Council of State Boards of Engineering Examiners, or of the National Bureau of Engineering Registration, or of any State or Territory or Possession of the United States, or any country, provided that the requirements for the registration of professional engineers under which said Certificate of Qualification or Registration was issued do not conflict with the provisions of this Act, are in accordance with the Board's regulations governing reciprocity, and are of a standard not lower than that specified in Section 12 of this Act.

§ 22. Revocations and Re-Issuances of Certificates.—The Board shall have power to revoke the certificate of registration of any registrant who is found guilty of:

(a) The practice of any fraud or deceit in obtaining a certificate of registration;

(b) Any gross negligence, incompetency, or misconduct in the practice of professional engineering as a registered professional engineer;

(c) The violation of the rules or regulations of the Board.

Any person may prefer charges of fraud, deceit, gross negligence, incompetency, or misconduct against any registrant. Such charges shall be in writing, and shall be sworn to by the person making them and shall be filed with the Secretary of the Board.

All charges, unless dismissed by the Board as unfounded or trivial, shall be heard by the Board within three months after the date on which they sall have been preferred.

The time and place for said hearing shall be fixed by the Board, and a copy of the charges, together with a notice of the time and place of hearing, shall be personally served on or mailed to the last known address of such registrant, at least thirty days before the date fixed for the hearing. At any hearing, the accused registrant shall have the right to appear personally and by counsel, to cross-examine witnesses appearing against him, and to produce evidence and witnesses in his own defense.

If, after such hearing, three or more members of the Board vote in favor of finding the accused guilty, the Board shall revoke the certificate of registration of such registered professional engineer.

The Board, for reasons it may deem sufficient, may reissue a certificate of registration to any person whose certificate has been revoked, providing three or more members of the Board vote in favor of such re-issuance. A new certificate of registration, to replace any certificate, revoked, lost, destroyed, or mutilated, may be issued, subject to the rules of the Board, and a charge of three dollars ($3.00) shall be made for such issuance.

§ 23. Violations and Penalties.—Any person who shall practice, or offer to practice, the profession of engineering in this state without being registered or exempted in accordance with the provisions of this Act, or any person presenting or attempting to use as his own the certificate of registration or the seal of another, or any person who shall give any false

or forged evidence of any kind to the Board or to any member thereof in obtaining a certificate of registration, or any person who shall falsely impersonate any other registrant of like or different name, or any person who shall attempt to use an expired or revoked certificate of registration, or any person who shall violate any of the provisions of this Act, shall be guilty of a misdemeanor, and shall upon conviction, be sentenced to pay a fine of not less than one hundred dollars ($100.00), nor more than five hundred dollars ($500.00), or suffer imprisonment for a period not exceeding three months or both.

It shall be the duty of all duly constituted officers of the law of this state, or any political subdivision thereof, to enforce the provisions of this Act and to prosecute any persons violating same. The Attorney General of the state or his assistant shall act as legal adviser of the Board and render such legal assistance as may be necessary in carrying out the provisions of this Act.

§ 24. Quarters.—Suitable office quarters shall be provided by the state for the use of the Board in the City of Frankfort.

§ 25. Printing.—All necessary printing required by the Board shall be executed under the State printing contract and approved by the State Printing Commission.

§ 26. Saving Clause.—Nothing in this Act shall be construed as excluding a registered architect from such engineering practice as may be incident to the practice of his profession; or as excluding a professional engineer registered under the provisions of this Act from such architectural practice as may be incident to the practice of professional engineering.

§ 27. Invalid Sections.—If any Section or Sections of this Act shall be declared unconstitutional or invalid, this shall not invalidate any other Section of this Act.

§ 28. Repeal of Conflicting Legislation.—All laws or parts of laws in conflict with the provisions of this Act shall be, and the same are hereby repealed.

Mr. Ramey moved that said bill be laid on the Clerk's desk.

Said motion was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	T. P. Fitzpatrick	Elmer McGlothen
H. T. Baker	H. Myer Garner	C. S. Matherly
W. T. Baker	James Garnett, Jr.	Duke Mayfield
Douglas Bolling	G. W. Garrett	W. H. Miller
Ollie J. Bowen	Eugene Gough	Tyler Munford
Wallace Brown	Ben Grogan	Rodes K. Myers
Jas. C. Carter	W. L. Hampton, Jr.	Russell O'Neill
Roscoe Claxon	Thomas W. Hines	J. C. Ramey
J. A. Coleman	Clyde S. Howard	Hobart Rayburn
Roy Conway	John M. Hunnicut	A. W. Ross
Herbert Cook	J. H. Jones	Carl Schneider
Harry Davis	J. F. Ladd	Ray O. Shehan
Sam Dever	Leslie Larrimore	Dr. B. F. Shields
George W. Dunlap	M. T. McCarthy	P. L. Sidebottom
Howard G. Early	T. B. McConnell	Chester D. Silvers
Walter R. Fannin	J. L. McDermott	Bruce Sloan
Chas. P. Farnsley	W. F. McGary	H. C. Steely

Dr. H. S. Swope	Joseph L. Wall	W. G. Williams
W. R. Tapp	Henry Ward	Charles Wylie
S. J. Wagner	L. R. Wells	—59

Those who voted in the negative were—

Price Holbrook	J. C. Nickell	Joe E. Robinson
Ben W. Johnson		—4

Resolved that the title thereof be as aforesaid.

Mr. Ward moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 185. An Act adding to the primary system of public roads of the Commonwealth of Kentucky and making parts thereof all duly recognized roads and highways in the Commonwealth of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. All roads and highways of the Commonwealth of Kentucky which heretofore have been recognized as public thoroughfares by the governing bodies of the various counties of the Commonwealth and which are now being used by the public as same are hereby established as parts of the primary system of state highways of the Commonwealth of Kentucky.

§ 2. The construction, maintenance, supervision and control of said roads shall be subject to and controlled by all

the terms and conditions set out and provided by the laws of the Commonwealth of Kentucky governing the construction, maintenance, supervision and control of public highways by the State Highway Commission.

§ 3. All laws or parts of laws in conflict with this act are hereby repealed to the extent of such conflict.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen
W. T. Baker
G. M. Ballard
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Wallace Brown
Roscoe Claxon
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
George W. Dunlap
Walter R. Fannin
H. Myer Garner
Eugene Gough
Ben Grogan
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
M. T. McCarthy
T. B. McConnell
J. L. McDermott
W. F. McGary
Elmer McGlothen
C. S. Matherly
Duke Mayfield
Rodes K. Myers
J. C. Nickell
Mel Petry
J. C. Ramey
Hobart Rayburn
Joe E. Robinson
John C. Robinson
A. W. Ross
Carl Scheben
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—55

Those who voted in the negative were—

Ollie J. Bowen	John M. Hunnicut	Ray O. Shehan	
Chas. P. Farnsley	W. H. Miller	S. J. Wagner	
T. P. Fitzpatrick	Tyler Munford	Joseph L. Wall	
James Garnett, Jr.	Russell O'Neill		
G. W. Garrett	Carl Schneider		—13

Resolved that the title thereof be as aforesaid.

Mr. Ward moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Dr. Shields of the Committee of Rules, to which the same had been referred, reported bills of the following titles:

H. B. 14. An Act defining grounds for a new trial in civil action cases.

H. B. 16. An Act defining grounds for a new trial in civil action cases.

H. B. 23. An Act creating a State Commission on health insurance.

H. B. 26. An Act to establish a State Commission for the improvement of the blind.

H. B. 27. An Act to define grounds from which appeals from police courts may be made.

H. B. 32. An Act to define grounds for new trials in civil action cases.

H. B. 33. An Act to provide for a State-wide registration law.

H. B. 50. An Act to provide that licenses be granted teachers who have taught for twenty years or more.

H. B. 51. An Act to recreate the State Fish and Game Commission.

H. B. 52. An Act to recreate the nine road commission district.

H. B. 54. An Act to fix the open season for mink, fox and other fur-bearing animals from December 1st to January 31st.

H. B. 59. An Act to repeal the dog license.

H. B. 64. An Act to repeal the act consolidating the office of sheriff and jailer.

H. B. 73. An Act to further regulate the registration of automobiles where cars are not in use during the year.

H. B. 74. An Act to provide that teachers who have taught for more than twenty years be given certificates for life.

H. B. 90. An Act to allow ex-service men to hunt or fish without license.

H. B. 95. An Act to provide the election of county school superintendents by popular vote.

H. B. 113. An Act to outlaw breach of promise and alienation of affection suits in this state.

H. B. 115. An Act to provide the annual sum of $2,500 a year for ex-Governors and their widows.

H. B. 117. An Act to allow cash bond of $25.00 in motor vehicle law violations.

H. B. 122. An Act to repeal the act consolidating the office of sheriff and jailer.

H. B. 140. An Act to regulate the sale and taxation of oleomargarine.

H. B. 142. An Act to fix the closed season on rabbits from January 10, to November 23.

H. B. 150. An Act to regulate itinerant peddlers.

H. B. 152. An Act to create police departments in cities of the fifth class.

H. B. 153. An Act to create the office of stenographer to the County Attorney in counties having cities of the second class.

H. B. 158. An Act to provide for recovery of illegal interest charges.

H. B. 159. An Act to provide for the establishment of subdistricts in counties for school purposes.

H. B. 162. An Act to provide old age pensions for persons over sixty years of age, of $15.00 per month.

H. B. 164. An Act to regulate the pay of grand jurors and their length of service to be based on the population of counties in which they serve.

H. B. 165. An Act to provide a penalty of one to five years in prison for persons cinvicted of stealing hogs, cattle, goats, sheep and dogs.

H. B. 167. An Act to limit the length of freight trains and provide for reports to the State Railroad Commission.

H. B. 169. An Act to provide for liens upon monuments placed in cemeteries for price thereof.

H. B. 171. An Act to give consent by the state to the acquisition by the U. S. Government of such lands as may be needed for the establishment of a national forest reserve.

H. B. 172. An Act to make it a misdemeanor to not extinguish fires made in forest reserves or State or National Parks.

H. B. 173. An Act to regulate conditions under which motor vehicles may operate on state highways.

H. B. 207. An Act to regulate the correction of indictments.

H. B. 208. An Act to regulate the manner of charging an offense in an indictment.

H. B. 215. An Act to allow the court in felony cases to grant or refuse any defendant a separate trial.

H. B. 216. An Act to provide period of probation of defendants in certain criminal cases.

H. B. 217. An Act to amend the Civil Code of Practice relating to the reversal of judgments by the Court of Appeals.

H. B. 218. An Act to re-enact the Civil Code of Practice pertaining to action between husband and wife.

H. B. 219. An Act to give trial judges the right to de-

termine the competency of confessions alleged to have been obtained by duress.

H. B. 220. An Act to make it a felony for members of the Legislature or members of their families to accept a state appointment during the legislator's term of office or for a period of one year thereafter.

H. B. 226. An Act to regulate the water districts in counties which have been authorized by law.

H. B. 227. An Act to exempt water districts from provisions of the Public Utilities Act.

H. B. 231. An Act to submit constitutional amendments for courts to settle contests over seats in the Legislature.

H. B. 232. An Act to divert 20 percent of the gasoline tax to the counties.

H. B. 234. An Act to provide for the creation of police departments in cities of the fifth class.

H. B. 237. An Act to provide penalties for killing, injuring or molesting deer or elk.

H. B. 238. An Act to provide penalties for killing, injuring or molesting wild turkey, imported pheasant and Hungarian partridge.

H. B. 244. An Act to provide for the appointment of County patrolmen in first class cities by county commissioners independent of county judge.

H. B. 253. An Act to provide method of payment for ballots and election materials.

H. B. 262. An Act to provide method of payment for ballots and election supplies.

H. B. 263. An Act to prohibit distribution, sale or exchange of goods, wares or merchandise made by prison labor.

H. B. 281. An Act to give operators of threshing machines liens on grain threshed.

H. B. 282. An Act to regulate the size of tractors using the public highways.

H. B. 286. An Act to provide that not more than 60 per cent of employees working on any state project shall be members of any one political party.

H. B. 290. An Act to exempt from taxation shares of stock in banks and corporations owned or held by the United States.

H. B. 294. An Act to require two years mutual separation for grounds for divorce.

H. B. 302. An Act to require raw fur dealers to procure license.

H. B. 304. An Act to provide for constitutional amendment for holding constitutional convention.

H. B. 305. An Act to create a board of examiners for coal miners.

H. B. 306. An Act to make it the duty of the sheriff and all process serving officers to also deliver a copy of the petition filed in any civil action to all defendants at the same time he serves the summons in said action.

H. B. 308. An Act to allow the coroner to employ a surgeon in post mortem cases.

H. B. 313. An Act to prevent school districts from being merged or abolished except by majority of voters in district.

H. B. 315. An Act to allow newspaper reporters the privilege of keeping secret sources of confidential information.

H. B. 320. An Act to provide for the creation of a city planning and zoning commission for cities of the third and fourth classes.

H. B. 325. An Act to establish a memorial to Nathan B. Stubblefield, inventor of radio.

H. B. 331. An Act to require officials handling public funds to publish condensed statements once a year.

H. B. 335. An Act to require pasteurization of milk in cities of the first and second classes.

H. B. 336. An Act to allow cities to collect license fee from foreign fire insurance companies for the benefit of fire departments.

H. B. 338. An Act to give city councils authority to exempt from taxation new construction of any kind.

H. B. 339. An Act to authorize cities of the second class to establish departments of charities and relief.

H. B. 345. An Act to fix penalties for employment of certain relatives in State, County and municipal governments.

H. B. 346. An Act to amend the criminal code relating to the trial, disposition and care of children.

H. B. 347. An Act to amend the code relating to trial of juveniles.

H. B. 348. An Act to amend the criminal code relating to exclusion of infants from court room during trial of certain cases.

H. B. 349. An Act to regulate the use of containers used in trade and manufacturing.

H. B. 350. An Act to provide for the publication of condensed statements of disbursements of public funds.

H. B. 359. An Act to require public utility companies in cities of more than 3,000 population to maintain an office in that city.

H. B. 365. An Act to provide that before motor license be granted the owner must have mechanic's oath that brakes are in good condition.

H. B. 366. An Act to further regulate grounds for divorce.

H. B. 367. An Act to amend statute providing for the holding and disposal of real estate by Building and Loan Association.

H. B. 368. An Act to require the State Librarian to sell certain State-owned Kentucky reports.

H. B. 369. An Act to regulate fishing at locks and dams on navigable streams and fixing the time and manner therefor.

H. B. 370. An Act to provide that the State Highway Commission set apart one-half of one cent per gallon of gasoline tax to make intra-state bridges toll free.

H. B. 374. An Act to make it unlawful to fraudulently set back or disconnect speedometers on motor vehicles for the purpose of sale.

H. B. 375. An Act to amend the statute use and sale of firearms.

H. B. 376. An Act to provide that teachers in colleges, universities and high schools be residents of the State.

H. B. 377. An Act to amend statute relating to classification of cities so as to change Park Hills, Kenton County, from a sixth class to a fifth class city.

H. B. 378. An Act to amend statute providing for expenses of school board members.

H. B. 379. An Act to amend statutes for the protection of squirrels.

H. B. 380. An Act to fix the compensation of the sheriff for collecting school taxes.

H. B. 403. An Act to prohibit railroad companies from requiring any of their employees to place engine behind caboose.

H. B. 404. An Act to provide for exemption of taxes for all registered fox hounds.

H. B. 405. An Act to provide monthly payment to all persons who have taught in the public schools for twenty-five years.

H. B. 406. An Act to amend drainage, levee and reclamation districts and authorizing refunding of bonds.

H. B. 407. An Act to provide that appeals may be taken to the Court of Appeals regardless of amount involved.

H. B. 410. An Act to provide for holding of local option elections and the sale of intoxicating liquors.

H. B. 411. To combine the office of Court Commissioner and Receiver of Jefferson County.

H. B. 412. To amend and re-enact statute relating to bonds of officers and fiduciaries.

H. B. 413. To re-enact statute relating to selection and designation by circuit courts of depositories.

H. B. 414. To compensate lawyers who are designated by circuit court to represent paupers charged with felonies.

H. B. 424. To give consent of the Commonwealth of Kentucky to acquisition by the U. S. of land needed for establishing National forest reserve.

H. B. 425. To repeal barbers and beauticians act.

H. B. 426. To amend and re-enact act to regulate motor trucks.

H. B. 428. To amend and re-enact act relating to engaging in the business of undertaking.

H. B. 435. To require persons, associations, companies and corporations employing services of ten or more persons in mining work to pay off once a week.

H. B. 436. To make it unlawful for any person to take or carry away any property of hotel, restaurant, cafeteria or roadhouse.

H. B. 437. To provide for the formation and conduct of burial associations among employees of one employer.

H. B. 439. To prohibit payment of compensation for promotion or sale of memberships or shares in a building and loan association.

H. B. 440. To provide license tax on business of selling cemetery monuments or markers.

H. B. 442. To license shoe builders and shoe repair men.

H. B. 443. To prohibit railroad companies from requiring employees to have timepieces cleaned oftener than once every two years.

H. B. 444. To authorize Lavina Pope to sue the state.

H. B. 445. To re-enact the code regarding casual trips.

H. B. 446. An Act to re-enact the code regulating operators of motor vehicles for hire.

H. B. 447. An Act to regulate and license operation of taxicabs and U-Drive-It Companies.

H. B. 448. An Act to further regulate the operation of motor vehicles for hire.

H. B. 449. An Act to amend and re-enact Section 2739j-76, Carroll's Kentucky Statutes, 1933 Supplement.

H. B. 450. An Act to amend and re-enact Section 2739i-10 to 2739i-11, Carroll's Kentucky Statutes, 1933 Supplement.

H. B. 452. An Act to forbid boards of education to adopt regulation restraining the marriage of school teachers.

H. B. 453. An Act to create the office of 3rd assistant Commonwealth's Attorney in Jefferson County.

H. B. 471. An Act to permit insurance companies to own real estate taken in satisfaction of debt.

H. B. 472. An Act to fix the license of $100 for each slot machine.

H. B. 474. An Act to abrogate the State tax on the recording of certain instruments.

H. B. 475. To regulate the pay of registration officials.

H. B. 476. To regulate the pay of County Board of Supervisors.

H. B. 477. To provide how funds appropriated to the Bureau of Dental Health shall be expended.

H. B. 478. To require partnerships and corporations operating motor vehicles to carry insurance.

H. B. 480. To provide when county roads pass through the town they shall be constructed and maintained by the state.

H. B. 481. To provide constitutional amendment to raise exemption of real estate tax to $2,500.

H. B. 482. To provide that publication of ordinances re-

quired by law shall be published in newspaper having the largest circulation.

H. B. 483. To require persons writing wills or similar documents shall be lawyers.

H. B. 484. To regulate the filing of statements of foreign insurance companies.

H. B. 485. To provide that nonpaying guests riding as passengers in motor vehicles shall have no cause for action in accidents.

H. B. 486. To provide for pay of attorneys appointed by the court for paupers defense.

H. B. 487. To recreate the Kentucky Board of Pharmacy.

H. B. 500. To place County police in counties having cities of the second class under civil service.

H. B. 501. To provide that the state shall pay for all record books for circuit and county court clerks.

H. B. 502. An Act relating to the Primary System of Roads and Highways.

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H. B. 505. To define the practice of law and who may engage therein.

H. B. 506. To provide for the election of drainage district officers.

H. B. 507. To exempt unmanufactured agricultural products from real estate tax.

H. B. 508. To give county judges the right to probate sentence.

H. B. 509. To provide for the consolidation or abolishment of subdistricts of county school system.

H. B. 510. An Act relating to the Primary System of Roads and Highways.

H. B. 511. To authorize compensation to members of water works board in cities of the first class.

H. B. 516. To provide pension for firemen in Cities of the first class.

H. B. 517. To provide pensions for policemen in cities of the first class.

H. B. 518. To provide that life insurance companies must advise applicant in writing the reason for rejection.

H. B. 519. To provide for cancellation of uncollectible tax bills in first class cities.

H. B. 520. To regulate salaries paid county court commissioners.

H. B. 521. To provide for temporary commitment of persons of unsound mind.

H. B. 522. To put plumbing department under departments of public works in cities of the first class.

H. B. 523. To regulate collection of taxes in cities of the first class.

H. B. 528. To provide for keeping tax assessment books in cities of the first class.

H. B. 529. To provide for cancellation of unpaid tax bills in cities of the first class.

S. B. 73. An Act providing for the formation and conduct of burial associations.

S. B. 22. An Act to amend Section 4821, Kentucky Statutes, relating to weights and measures.

S. B. 153. An Act amending and re-enacting Section 2241, Kentucky Statutes, 1930 Edition.

H. B. 558. An Act establishing a State Park in Butler County.

H. B. 559. An Act relating to the appointment of county tax supervisors.

H. B. 560. An Act providing for qualifications for teachers.

H. B. 530. An Act relating to the Primary System of Roads and Highways.

H. B. 531. An Act to make ineligible for appointment to any board, commission or office created by the Legislature,

one who has been a member of that board or commission for a period of six years prior thereto.

H. B. 532. An Act to define, regulate and license real estate brokers and real estate salesmen.

H. B. 533. An Act creating in every county of this Commonwealth a county liquor control board having exclusive jurisdiction in the issuing of permits and the revocation of same.

H. B. 534. An Act relating to Greyhound racing in the Commonwealth of Kentucky.

H. B. 535. An Act relating to grounds for divorce of husband and wife and making insanity, of either husband or wife, grounds for divorce.

S. B. 2. An Act to repeal three per cent sales tax.

S. B. 5. An Act to extend registration to voters outside of city limits of first, second, third and fourth class cities.

S. B. 7. An Act to repeal statute entitled "officers not entitled to seat in Legislature".

S. B. 18. An Act to recreate the Game and Fish Commission.

S. B. 22. An Act to amend law relating to weights and measures.

S. B. 25. An Act to amend Code of Practice in civil cases relating to new trials.

S. B. 31. An Act to allow credit to persons convicted

for crime for time served before trial in event they are unable to furnish bail.

S. B. 45. An Act to fix capital stock of banks at $15,000 and in cities having a population of 50,000 or more not less than $50,000.

S. B. 53. An Act to authorize water districts in counties of the State which have been organized and are operating to issue refunding bonds.

S. B. 53. An Act to empower city or town operating public water supply system to extend system into contiguous territory.

S. B. 66. An Act to give quarterly courts concurrent jurisdiction with circuit courts in the trial of offenses against motor vehicle laws.

S. B. 70. An Act to provide that in fixing compensation for members of county boards of elections the fiscal court may take into consideration the number of votes counted by the board, cost of counting and number of days necessary for board to be in session.

S. B. 73. An Act to provide for the formation and conduct of burial associations among employees of one employer.

S. B. 76. An Act to amend law relating to commitment of incompetent veterans of the World War.

S. B. 78. To prohibit sale or disposition of standing timber from land covered by mortgage.

S. B. 97. An Act to provide for the acquisition by the state of stereotyped plates, books and copyrights of the first seventy-seven volumes of the reports of the Court of Appeals.

S. B. 110. An Act to make it a misdemeanor for not extinguishing fires made in forest reserves or state or national parks.

S. B. 112. An Act to make it unlawful for persons to loiter in church or school buildings or upon grounds.

S. B. 138. An Act to authorize cities of the first class to construct law school buildings.

S. Res. 7. To authorize R. L. Bayne and Dell Brown to sue the Commonwealth and the State Highway Commission.

S. Res. 8. A concurrent resolution of the Senate and House requesting the United States Senate.

S. Res. 10. To express assent of the Kentucky Legislature to the provisions and purposes of the Act of Congress approved June 29th, 1935.

S. Res. 17. To authorize R. E. Stanley to sue the Commonwealth or the State Highway Commission.

S. Res. 19. To authorize R. A. Bodkin to sue the Commonwealth or State Highway Commission.

S. Res. 22. To authorize Charlie Coogle to sue the State.

S. Res. 24. To authorize Nina Rush Bennett to sue the State.

H. Res. 1. To authorize R. Young and Joseph Young to sue the Commonwealth.

H. Res. 3. Whereas the Supreme Court on Jan. 6, 1936, declared to be unconstitutional the A. A. A. program enacted

by Congress for the purpose of maintaining a parity price for products.

H. Res. 26. To appropriate $296.81 to Hazel Duncan for services rendered McCreary County.

H. Res. 27. To appropriate $184.00 to Georgia Taylor for services rendered Wayne County.

H. Res. 28. To appropriate $124.38 to Owen D. Anderson for services rendered McCreary County.

H. Res. 39. To appropriate funds for relief of sheriff of Elliott County for acting as an agent of the state.

H. Res. 40. To authorize Harry D. Kremer to sue the State.

H. Res. 41. To authorize John Wright to sue the State.

H. Res. 42. To authorize Florence McQuire to sue the State.

H. Res. 43. To authorize representative of Clay Lightfoot to sue the State.

H. Res. 46. To provide for the payment of an additional assistant sergeant at arms in the House of Representatives.

H. Res. 47. To authorize Arch Wilson, Herbert Seale and Luther F. Morgan to sue the Commonwealth.

H. Res. 48. To appropriate money for paying contest fees in the Thomas vs. Jennings case.

H. Res. 49. To authorize Genevieve Collins to sue the State.

H. Res. 51. To authorize J. B. Lacefield to sue the State.

H. Res. 52. To authorize W. S. Curl to sue the State.

H. Res. 53. To authorize G. B. Hall to suit the Commonwealth.

H. Res. 54. To authorize Mrs. Alice Maker to sue the Commonwealth.

H. Res. 55. To authorize E. S. Howard to sue the Commonwealth.

H. Res. 56. Requesting an advisory decision by the Court of Appeals on H. B. 222.

H. Res. 57. A joint resolution providing for the payment of $475.00 out of the general expenditure fund for the purposes of Gnau paying to M. Livingston & Co.

H. Res. 58. A joint resolution—Whereas the kitchen equipment in the Capitol Restaurant is wholly inadequate and causes conditions to exist which are unsatisfactory to many who patronize the restaurant, etc.

H. Res. 59. A resolution authorizing Wm. C. Wells and Martha Wells to sue the Commonwealth.

H. Res. 60. A resolution designating Highway beginning at the Kentucky-Tennessee state line and running to the Mammoth Cave National Park as the Cordell Hull Parkway.

H. B. 536. An Act relating to the Primary System of Roads and Highways.

H. B. 537. An Act relating to certification of Presidents,

Registrars, etc., in State Teachers Colleges in the Commonwealth of Kentucky.

H. B. 538. An Act to create the office of public defender and to provide the manner in which he is appointed and removed from office and to provide for his compensation in Counties having a population of two hundred and fifty thousand, or more.

H. B. 539. An Act repealing and amending and re-enacting Section 3146 of Carroll's Kentucky Statutes.

H. B. 540. An Act relating to the Primary System of Roads and Highways.

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H. B. 549. An Act to divide the State of Kentucky into Circuit Court Judicial Districts, creating a new district; etc.

H. B. 550. An Act to prevent and punish the unlawful conversion and wrongful use of natural and manufactured gas, etc.

H. B. 551. An Act empowering the State Highway Commission as the sole authority to erect road markers, etc.

H. B. 552. An Act to amend the constitution of the Com monwealth of Kentucky so as to authorize the Legislature to provide for the needy blind.

H. B. 553. An Act to provide for the postponement of the rendition of judgment and the use of probation in criminal cases and empowering the Department of Public Welfare to appoint a Director of Probation and Parole, etc.

H. B. 554. An Act to amend, revise and re-enact Section 883-10 of Carroll's Kentucky Statutes, 1930 Edition, relating to and authorizing the formation of non-profit, cooperative associations with or without capital stock, for the purpose of encouraging the orderly marketing of agricultural products, etc.

H. B. 555. An Act appropriating funds to the Kentucky Board of Pharmacy for the fiscal year ending 1936, and declaring an emergency.

H. B. 556. An Act to amend and re-enact Section 1 of Chapter 3 of the Acts of the General Assembly 1934, being

Section 101-1 of Chapter 8 of Carroll's Kentucky Statutes, relating to deeds, mortgages or wills.

H. B. 557. An Act providing for the licensing of hucksters in the Commonwealth of Kentucky.

H. Res. 58. Joint Resolution relating to kitchen equipment and appropriation for basement restaurant in State Capitol.

H. Res. 59. Resolution authorizing Wm. C. Wells and Martha Wells to sue the Commonwealth of Kentucky.

With the expression of opinion that said bills and resolutions ought to pass.

Said bills and resolutions were severally read the first time at length and ordered to be placed on the Calendar.

Mr. Dickson, of the Committee on Enrollment, reported that they had examined and found to be correctly engrossed bills and resolutions which originated in the Senate, entitled:

S. B. 1. An Act relating to the organization of loan and investment companies.

S. B. 3. An Act relating to Primary Elections.

S. B. 8. An Act amending so much of Section 965, Kentucky Statutes, as relates to the 28th Judicial District, etc.

S. B. 14. An Act authorizing, empowering and directing the Governor to cause to be made an audit of the Departments, etc.

S. Res. 14. Resolution appropriating money for the use of the Senate.

S. Res. 15. Resolution providing a contingent fund for the Clerk of the Senate and Clerk of the House.

Thereupon all other business was suspended, said bills and resolutions were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker in open session and in the presence of the House, affixed his signature thereto.

Ordered that said bills and resolutions be delivered to the Enrolling Clerk of the Senate.

Dr. Shields moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

MONDAY, FEBRUARY 3, 1936.

The House was opened with prayer by the Reverend Ross E. Dillon of the First Baptist Church, of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. T. Allen	Wallace Brown	Sam Dever
Henry H. Allen	Dr. R. A. Byers	Stanley S. Dickson
C. W. Anderson, Jr.	Jas. C. Carter	George W. Dunlap
H. T. Baker	V. O. Chandler	Howard G. Early
W. T. Baker	Floyd Clark	Garland Embry
G. M. Ballard	Roscoe Claxon	Clarence E. Evans
B. F. Bedford	George S. Clay	Walter R. Fannin
Reuben J. Boling	J. A. Coleman	Chas. P. Farnsley
Douglas Bolling	Roy Conway	H. Myer Garner
Ollie J. Bowen	Harry Davis	James Garnett, Jr.

G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
Duke Mayfield
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

Mr. Davis moved that the reading of the Journal of Friday's proceedings be dispensed with.

Said motion was agreed to.

Mr. McConnell moved that the privilege of the floor be extended to Mr. Roy Stephens of Caldwell County.

Said motion was agreed to.

Mr. Silvers moved that the privilege of the floor be extended to Mr. Fon Rogers.

Said motion was agreed to.

Mr. McGary moved that the privilege of the floor be extended to Mr. Cromer Arnette of Ballard County.

Said motion was agreed to.

Mr. Gnau moved that the privilege of the floor be extended to Mr. Grover Springate.

Said motion was agreed to.

Mr. O. C. Jones moved that the privilege of the floor be extended to Mr. W. E. King, M. T. Sidebottom, Rich McPherron of Owen County.

Said motion was agreed to.

Mr. Davis moved that the session of today be extended indefinitely.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. McDermott:

H. B. 561. An Act to amend Section 256 of the Constitution of the Commonwealth of Kentucky prescribing the mode of amendment of said Constitution.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon the concurrence of three-fifths of all members elected to each House, the yeas and nays being taken thereon and entered in full in their respective journals, Section 256 of the Constitution be and it is amended and revised so that said Section shall read as follows:

Section 256. Amendments to this Constitution may be

proposed in either house of the General Assembly at a regular or special session thereof, and if such amendment or amendments shall be agreed to by three-fifths of all the members elected to each house, such proposed amendment or amendments, with the yeas and nays of the members of each house taken thereon, shall be entered in full in their respective journals. Such proposed amendment or amendments shall then be submitted to the voters of the State, for their ratification or rejection, on a separate ballot, without party designation of any kind, but under the heading, "Constitutional Amendments", printed in bold-face type, at either a special or general election, as the General Assembly may prescribe, the vote to be taken thereon and to be certified by the officers of election to the Secretary of State in such manner as shall be provided by law, which vote shall be canvassed or compared and certified by the same board authorized by law to compare the polls and give the certificates of election to officers for the State at Large. If it shall appear that a majority of the votes cast for and against the amendment at said election was for the amendment, then the same shall become a part of the Constitution of this Commonwealth, and shall be so forthwith proclaimed by the Governor, and published in such manner as the General Assembly may direct.

None of said proposed amendments shall be submitted at an election which occurs less than ninety (90) days from the final passage of each proposed amendment or amendments. Said amendments shall be so submitted as to allow a separate vote on each, and no amendment shall relate to more than one subject. The approval of the Governor shall not be necessary to any bill, order, resolution or vote of the General Assembly, proposing an amendment or amendments to this Constitution.

§ 2. The foregoing proposed amendment to the Constitution, relating to the mode of amendment of said Constitution and dealing with that one subject alone, shall be submitted to the voters of this State for their ratification or rejection, at the next general election for members of the House

of Representatives of this Commonwealth in accordance with the provisions of Section 256 of the Constitution of Kentucky and at the time and in the manner provided for under said Section of the Constitution and the statutes enacted pursuant thereto to effectuate the same.

By Mr. Brown:

H. B. 562. An Act relating to State appointive officers and State employees; declaring it unlawful for same to engage in pernicious political activity; providing penalties therefor; defining certain terms used in this Act; and repealing all laws or parts of laws in conflict.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any State appointive officer, or any State employee to engage in pernicious political activity.

§ 2. Any State appointive officer or any employee of the State who shall engage in pernicious political activity, in violation of Section 1 of this Act, shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than twenty dollars nor more than five hundred dollars for each offense.

§ 3. Definition of Terms.—The term "pernicious political activity" as used in this Act shall be construed to mean such political activity as shall cause neglect of official duty, or neglect of duties of employment by any State appointive officer or employee; and also said term shall embrace the influencing or attempt to influence any voter in any election or on any question to be determined by popular vote through the instrumentality of such official position or by intimidation, or by any State employee on account of such employment.

"State appointive officer" shall mean any and all appointive officers of the State of Kentucky, by whomsoever appointed.

"State employee" as used herein means any person, firm or corporation, other than an officer, employed in any capacity by the State of Kentucky, or by any of the boards, departments or other agencies of the State.

§ 4. All laws or parts of laws in conflict herewith are hereby repealed to extent of any such conflict.

By Mr. Johnson:

H. B. 563. An Act to amend and re-enact Sections 3486, 3502, and 3552, Kentucky Statutes, Carroll's Edition, 1930, relating to cities of the fourth class, and declaring the existence of an emergency.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3486, Kentucky Statutes, Carroll's Edition, 1930, be amended and re-enacted so that same shall read as follows:

"The mayor shall be chairman of the board and in his absence the mayor and chairman pro tempore shall be elected from the members; but such person shall not perform the functions of the office of mayor unless the regular mayor has been absent from the county for at least three days, or is, for a like period, for any reason, unable to discharge his duties. A quorum shall consist of a majority of the board or of one-half of the members of the board and the mayor, but when only one-half of the members are present the mayor shall also be entitled to vote as a member. A quorum is invested with the power to act, and, in the absence of a quorum, two members shall have power to adjourn from time to time until a quorum is secured. In case of a vacancy in the board by

death, resignation, or any other cause, such vacancy shall be filled as hereinafter provided. The board shall meet at such times and places as shall be provided by ordinance. It shall judge of the eligiblity and election returns of its members, adopt rules for its proceedings and government, and enforce the same by appropriate fines not exceeding Ten ($10.00) Dollars for each offense; and three-fourths of the members, after notice and hearing, voting affirmatively, may, for any good cause, expel any member."

§ 2. That Section 3502, Kentucky Statutes, Carroll's Edition, 1930, be amended and re-enacted so that same shall read as follows:

"The mayor or chief executive shall preside at all meetings of the board of council, and decide all points of order. He shall only vote in case of a tie, unless his vote is necessary to make a quorum, in which event, he shall also vote as a member. He may call special sessions of the board of council by reasonable notice whenever, in his judgment, it may be necessary, and shall do so upon the written request of four members of the council. He may compel the attendance of absent members and for this purpose may designate and empower such person or persons as may be necessary to carry out his order. He shall perform such other duties as may be prescribed by ordinance, not inconsistent with this Charter."

§ 3. That Section 3552, Kentucky Statutes, Carroll's Edition, 1930, be amended and re-enacted so that same shall read as follows:

"If a vacancy shall occur in any elective office, including the office of the councilmen, such vacancy shall be filled by the Governor, subject to the provisions of the Constitution applicable thereto. If the election of any elective officer in cities of this class be contested under the Corrupt Practice Act, said contest shall be transferred to a circuit court having jurisdiction, where it shall be tried and determined as provided by law in cases of the election of county officers, excepting that,

cases pending on the effective date of this Act, shall not be bound by the rules relating to time for filing pleadings. In such cases, the time for filing pleadings shall be fixed by the court in its reasonable discretion. If the eligibility or election returns of any candidate for councilman is contested and the council fails to agree or dispose of said contest within fifteen (15) days after the filing of same, the Governor shall appoint a resident of the Ward where said contest is pending, to serve as councilman from said Ward. Said appointment shall expire upon the determination of said contest proceeding. Said temporary appointee shall have all of the rights, powers, and privileges of a duly elected and uncontested member of said council. Said appointee shall have the qualifications for said office prescribed by law."

The provisions of this Act are severable, and, if any of its provisions shall be held unconstitutional, the decisions of the court shall not effect or impair any of the remaining provisions of this Act. It is hereby declared as a legislative intent that this Act would have been adopted had such unconstitutional provisions not been included therein.

All laws and parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

Whereas certain city governments of the fourth class are unable to properly function by reason of the imperfection of the existing laws, and the general welfare of all of the citizens and inhabitants of said cities are greatly impaired by reason thereof, an emergency is declared to exist and this Act shall become a law and effective upon its passage and approval by the Governor.

By Mr. Riley:

H. B. 564. An Act relating to ditches and drains in counties having more than seventy-five (75) separate drainage districts; providing that in such counties the county judge shall appoint a drainage commissioner; prescribing the powers and

duties of such commissioner; repealing all laws and parts of laws in conflict with the act, to the extent of such conflict only; and declaring an emergency.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all counties having seventy-five (75) or more separate drainage districts the county judge shall appoint a drainage commissioner who shall have and exercise all the powers and duties vested in directors and Boards of Drainage Commissioners elected under the provisions of Section 2380-7, Kentucky Statutes, Carroll's 1930 Edition, as amended. The person so appointed shall hold this office for a term of four (4) years or until his successor is appointed and qualified, shall execute bond for the faithful performance of his duties in the penal sum of five thousand ($5,000.00) dollars, and shall be sworn to faithful performance of duties of his position to the best of his ability. Any vacancy in said office shall be filled by appointment by the county judge. He shall have the right to acquire, hold, encumber, sell and convey such real estate and personal property as shall be necessary to the conduct of his affairs as such Drainage Commissioner, to sue and be sued, contract and be contracted with, and which shall possess such other powers and rights as may be reasonably necessary for carrying on his work under the provisions of this Act. He may appoint a secretary and fix his compensation, and if no such secretary is appointed, the county clerk of the county shall act as such and be ex officio secretary thereof.

Said Commissioner shall be paid as full compensation for his services not exceeding the sum of five ($5.00) dollars per day, while actually engaged in the performance of his duties, to be fixed by order of the county court at the time of his appointment, as well as all traveling expenses incurred

in the performance of his duties under this Act, to be paid out of the drainage funds herein provided for.

§ 2. The Drainage Commissioner provided for in this Act shall succeed to and be vested with all the rights, powers, duties and obligations heretofore imposed upon the Drainage Commissioner and/or Board of Drainage Commissioners in office at the time of the effective date of this Act.

§ 3. This Act shall not be construed with reference to, or as a part of, any previous Act of this session of the General Assembly. It is the intention of the General Assembly that this Act is and shall be construed as a separate and independent Act, relating only to counties having seventy-five (75) or more separate drainage districts; and, that this Act provides the sole and exclusive law for the selection, term of office and qualifications of Drainage Commissioners in such counties.

§ 4. Whereas, it is deemed by the General Assembly to be impractical to have seventy-five (75) or more directors for drainage districts; and, whereas, it is deemed necessary that this Act be made effective immediately upon its passage and approval by the Governor, an emergency hereby is declared to exist and this Act shall become effective immdiately upon its passage and approval by the Governor.

By Mr. Munford:

H. B. 565. An Act providing that an heir shall not be estopped from contesting a will who has received benefits thereunder, where such benefits are not in excess of his distributable share in the estate as such heir, and shall not be required to pay same back to such estate in order to maintain such contest.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in a contest of a will an heir who has received

benefits thereunder, shall not be estopped to contest such will where the benefits received do not exceed what would be his distributable share in such estate, and not be required to pay the same back to such estate in order to maintain such contest.

§ 2. By reason of the fact that many persons are now estopped from contesting wills by reason of having accepted under wills less than their distributable share, and are thus deprived of the right of contest an emergency is hereby declared and this Act be and become in full force and effect upon its passage.

By Mr. Myers:

H. B. 566. An Act to amend and re-enact Section 2519, Kentucky Statutes, Carroll's Edition, 1930.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2519, Kentucky Statutes, Carroll's Edition, 1930, be amended and re-enacted so that when so amended and re-enacted same shall read as follows:

1. In actions for relief from fraud or mistake or damages for either the cause of action shall not be deemed to have accrued until the discovery of the fraud or mistake.

2. Actions for relief from fraud or mistake or damages for either shall be commenced within thirty years next after the cause of action accrued.

3. No action for fraud or mistake or damages for either shall be brought after the expiration of thirty years from the time of making the contract or the perpetration of the fraud.

4. All laws or parts of laws in conflict with this Act are hereby repealed.

By Mr. Rice:

H. Res. 61. Joint Resolution for the payment of Bur-

nam Bach, ex-deputy Sheriff of Breathitt County, for his expenses and charges insistent thereto, in the extradition of Winston Elkins, a fugitive from justice, Leavenworth, Kansas, to Breathitt County on the 24th of November, 1933.

Said resolution is as follows, viz.:

That, Whereas, on November 8, 1933, Winston Elkins was indicted in the Breathitt Circuit Court for grand larceny and upon request of the officials of Breathitt County, Burnam Bach was requested to proceed to Leavenworth, Kansas and return said Winston Elkins to Breathitt County to answer said indictment, and whereas, at the time it was impossible for him to secure a requisition from the Governor of Kentucky, and that he in compliance with the request of the officers of Breathitt County, made the trip to Leavenworth, Kansas, and apprehended said Winston Elkins, and conveyed him back to Breathitt County, and that he immediately filed his claim for said expenses and six cents (6c) per mile for 1,626 miles, amounting to $97.56, and for gas and oil for car of $20.32, and for prisoner's food $1.40, making a total of $119.28, and that the Auditor of Public Accounts refused to pay said claim on the grounds that he had not obtained a requisition from the Governor of Kentucky, Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the Auditor of Public Accounts is directed to draw his warrant upon the treasurer for the sum of $119.28 payable to Burnam Bach for his services in the extradition of Winston Elkins from Leavenworth, Kansas to Breathitt County, incurred during the month of November, 1933.

To Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 14. An Act defining grounds for a new trial in civil action cases.

H. B. 16. An Act defining grounds for a new trial in civil action cases.

H. B. 23. An Act creating a State Commission on health insurance.

H. B. 26. An Act to establish a State Commission for the improvement of the blind.

H. B. 27. An Act to define grounds from which appeals from police courts may be made.

H. B. 32. An Act to define grounds for new trials in civil action cases.

H. B. 33. An Act to provide for a State-wide registration law.

H. B. 50. An Act to provide that licenses be granted teachers who have taught for twenty years or more.

H. B. 51. An Act to recreate the State Fish and Game Commission.

H. B. 52. An Act to recreate the nine road commission districts.

H. B. 54. An Act to fix the open season for mink, fox and other fur-bearing animals from December 1st to January 1st.

H. B. 59. An Act to repeal the dog license.

H. B. 64. An Act to repeal the act consolidating the office of sheriff and jailer.

H. B. 73. An Act to further regulate the registration of automobiles where cars are not in use during the year.

H. B. 74. An Act to provide that teachers who have taught for more than twenty years be given certificates for life.

H. B. 90. An Act to allow ex-service men to hunt or fish without license.

H. B. 95. An Act to provide the election of county school superintendents by popular vote.

H. B. 113. An Act to outlaw breach of promise and alienation of affection suits in this state.

H. B. 115. An Act to provide the annual sum of $2,500 a year for ex-Governors and their widows.

H. B. 117. An Act to allow cash bond of $25.00 in motor vehicle law violations.

H. B. 122. An Act to repeal the act consolidating the office of sheriff and jailer.

H. B. 140. An Act to regulate the sale and taxation of oleomargarine.

H. B. 142. An Act to fix the closed season on rabbits from January 10, to November 23.

H. B. 150. An Act to regulate itinerant peddlers.

H. B. 152. An Act to create police departments in cities of the fifth class.

H. B. 153. An Act to create the office of stenographer

to the County Attorney in counties having cities of the second class.

H. B. 158. An Act to provide for recovery of illegal interest charges.

H. B. 159. An Act to provide for the establishment of subdistricts in counties for school purposes.

H. B. 162. An Act to provide for old age pensions for persons over sixty years of age, of $15.00 per month.

H. B. 164. An Act to regulate the pay of grand jurors and their length of service to be based on the population of counties in which they serve.

H. B. 165. An Act to provide a penalty of one to five years in prison for persons convicted of stealing hogs, cattle, goats, sheep and dogs.

H. B. 167. An Act to limit the length of freight trains and provide for reports to the State Railroad Commission.

H. B. 169. An Act to provide for liens upon monuments placed in cemeteries for price thereof.

H. B. 171. An Act to give consent by the state to the acquisition by the U. S. Government of such laws as may be needed for the establishment of a national forest reserve.

H. B. 172. An Act to make it a misdemeanor to not extinguish fires made in forest reserves or State or National Parks.

H. B. 173. An Act to regulate conditions under which motor vehicles may operate on state highways.

H. B. 207. An Act to regulate the correction of indictments.

H. B. 208. An Act to allow the court in felony cases to grant or refuse any defendant a separate trial.

H. B. 216. An Act to provide period of proof in certain criminal cases.

H. B. 217. An Act to amend the Civil Code of Practice relating to the reversal of judgments by the Court of Appeals.

H. B. 218. An Act to re-enact the Civil Code of Practice pertaining to action between husband and wife.

H. B. 219. An Act to give trial judges the right to determine the competency of confessions alleged to have been obtained by duress.

H. B. 220. An Act to make it a felony for members of the Legislature or members of their families to accept a state appointment during the legislator's term of office or for a period of one year thereafter.

H. B. 226. An Act to regulate the water districts in counties which have been authorized by law.

H. B. 227. An Act to exempt water districts from provisions of the Public Utilities Act.

H. B. 231. An Act to submit constitutional amendments for courts to settle contests over seats in the Legislature.

H. B. 232. An Act to divert 20 per cent of the gasoline tax to the counties.

H. B. 234. An Act to provide for the creation of police departments in cities of the fifth class.

H. B. 237. An Act to provide penalties for killing, injuring or molesting deer or elk.

H. B. 238. An Act to provide penalties for killing, injuring or molesting wild turkey, imported pheasant and Hungarian partridge.

H. B. 244. An Act to provide for the appointment of County patrolmen in first class cities by county commissioners independent of county judge.

H. B. 253. An Act to provide method of payment for ballots and election materials.

H. B. 262. An Act to provide method of payment for ballots and election supplies.

H. B. 263. An Act to prohibit distribution, sale or exchange of goods, wares of merchandise made by prison labor.

H. B. 281. An Act to give operators of threshing machines liens on grain threshed.

H. B. 282. An Act to regulate the size of tractors using the public highways.

H. B. 286. An Act to provide that not more than 60 per cent of employees working on any state project shall be members of any one political party.

H. B. 290. An Act to exempt from taxation shares of stock in banks and corporations owned or held by the United States.

H. B. 294. An Act to require two years mutual separation for grounds for divorce.

H. B. 302. An Act to require raw fur dealers to procure license.

H. B. 304. An Act to provide for constitutional amendment for holding constitutional convention.

H. B. 305. An Act to create a board of examiners for coal miners.

H. B. 306. An Act to make it the duty of the sheriff and all process serving officers to also deliver a copy of the petition filed in any civil action to all defendants at the same time he serves the summons in said action.

H. B. 308. An Act to allow the coroner to employ a surgeon in post mortem cases.

H. B. 313. An Act to prevent school districts from being merged or abolished except by majority of voters in district.

H. B. 315. An Act to allow newspaper reporters the privilege of keeping secret sources of confidential information.

H. B. 320. An Act to provide for the creation of a city planning and zoning commission for cities of the third and fourth classes.

H. B. 325. An Act to establish a memorial to Nathan B. Stubblefield, inventor of radio.

H. B. 331. An Act to require officials handling public funds to publish condensed statements once a year.

H. B. 335. An Act to require pasteurization of milk in cities of the first and second classes.

H. B. 336. An Act to allow cities to collect license fee from foreign fire insurance companies for the benefit of fire departments.

H. B. 338. An Act to give city councils authority to exempt from taxation new construction of any kind.

H. B. 339. An Act to authorize cities of the second class to establish departments of charities and relief.

H. B. 345. An Act to fix penalties for employment of certain relatives in State, County and municipal governments.

H. B. 346. An Act to amend the criminal code relating to the trial, disposition and care of children.

H. B. 347. An Act to amend the code relating to trial of juveniles.

H. B. 348. An Act to amend the criminal code relating to exclusion of infants from court room during trial of certain cases

H. B. 349. An Act to regulate the use of containers used in trade and manufacturing.

H. B. 350. An Act to provide for the publication of condensed statements of disbursements of public funds.

H. B. 359. An Act to require public utility companies in cities of more than 3,000 population to maintain an office in that city.

H. B. 365. An Act to provide that before motor license be granted the owner must have mechanic's oath that brakes are in good condition.

H. B. 366. An Act to further regulate grounds for divorce.

H. B. 367. An Act to amend statute providing for the holding and disposal of real estate by Building and Loan Association.

H. B. 368. An Act to require the State Librarian to sell certain State-owned Kentucky reports.

H. B. 369. An Act to regulate fishing at locks and dams on navigable streams and fixing the time and manner therefor.

H. B. 370. An Act to provide that the State Highway Commission set apart one-half of one cent per gallon of gasoline tax to make intra-state bridges toll free.

H. B. 374. An Act to make it unlawful to fraudulently set back or disconnect speedometers on motor vehicles for the purpose of sale.

H. B. 375. An Act to amend the statute regulating use and sale of firearms.

H. B. 376. An Act to provide that teachers in colleges, universities and high schools be residents of the State.

H. B. 377. An Act to amend statute relating to classification of cities so as to change Park Hills, Kenton County, from a sixth class to a fifth class city.

H. B. 378. An Act to amend statute providing for expenses of school board members.

H. B. 379. An Act to amend statutes for the protection of squirrels.

H. B. 380. An Act to fix the compensation of the sheriff for collecting school taxes.

H. B. 403. An Act to prohibit railroad companies from requiring any of their employees to place engine behind caboose.

H. B. 404. An Act to provide for exemption of taxes for all registered fox hounds.

H. B. 405. An Act to provide monthly payment to all persons who have taught in the public schools for twenty-five years.

H. B. 406. An Act to amend drainage, levee and reclamation districts and authorizing refunding of bonds.

H. B. 407. An Act to provide that appeals may be taken to the Court of Appeals regardless of amount involved.

H. B. 410. An Act to provide for holding of local option elections and the sale of intoxicating liquors.

H. B. 411. To combine the office of Court Commissioner and receiver of Jefferson County.

H. B. 412. To amend and re-enact statute relating to bonds of officers and fiduciaries.

H. B. 413. To re-enact statute relating to selection and designation by circuit courts of depositories.

H. B. 414. To compensate lawyers who are designated by circuit courts to represent paupers charged with felonies.

H. B. 424. To give consent of the Commonwealth of Kentucky to acquisition by the U. S. of land needed for establishing National forest reserve.

H. B. 425. To repeal barbers and beauticians act.

H. B. 426. To amend and re-enact act to regulate motor trucks.

H. B. 428. To amend and re-enact act relating to engaging in the business of undertaking.

H. B. 435. To require persons, associations, companies and corporations employing services of ten or more persons in mining work to pay off once a week.

H. B. 436. To make it unlawful for any person to take or carry away any property of hotel, restaurant, cafeteria or roadhouse.

H. B. 437. To provide for the formation and conduct of burial associations among employees of one employer.

H. B. 439. To prohibit payment of compensation for promotion or sale of memberships or shares in a building and loan association.

H. B. 440. To provide license tax on business of selling cemetery monuments or markers.

H. B. 442. To license shoe builders and shoe repair men.

H. B. 443. To prohibit railroad companies from requiring employees to have timepieces cleaned oftener than once every two years.

H. B. 444. To authorize Lavina Pope to sue the state.

H. B. 445. To re-enact the code regarding casual trips.

H. B. 446. An Act to re-enact the code regulating operators of motor vehicles for hire.

H. B. 447. An Act to regulate and license operation of taxi cabs and U-Drive-It companies.

H. B. 448. An Act to further regulate the operation of motor vehicles for hire.

H. B. 449. An Act to amend and re-enact Section 2739j-76, Carroll's Kentucky Statutes, 1933 Supplement.

H. B. 450. An Act to amend and re-enact Sections 2739i-10 and 2739i-11, Carroll's Kentucky Statutes, 1933 Supplement.

H. B. 452. An Act to forbid boards of education to adopt regulation restraining the marriage of school teachers.

H. B. 453. An Act to create the office of Third Assistant Commonwealth's Attorney in Jefferson County.

H. B. 471. An Act to permit insurance companies to own real estate taken in satisfaction of debt.

H. B. 472. An Act to fix the license of $100 for each slot machine.

H. B. 474. An Act to abrogate the State tax on the recording of certain instruments.

H. B. 475. To regulate the pay of registration officials.

H. B. 476. To regulate the pay of County Board of Supervisors.

H. B. 477. To provide how funds appropriated to the Bureau of Dental Health shall be expended.

H. B. 478. To require partnerships and corporations operating motor vehicles to carry insurance.

H. B. 480. To provide when county roads pass through the town they shall be constructed and maintained by the state.

H. B. 481. To provide constitutional amendment to raise exemption of real estate tax to $2,500.00.

H. B. 482. To provide that publication of ordinances required by law shall be published in newspaper having the largest circulation.

H. B. 483. To require persons writing wills or similar documents shall be lawyers.

H. B. 484. To regulate the filing of statements of foreign insurance companies.

H. B. 485. To provide that non-paying guests riding as passengers in motor vehicles shall have no cause for action in accidents.

H. B. 486. To provide for pay of attorneys appointed by the court for pauper's defense.

H. B. 487. To recreate the Kentucky Board of Pharmacy.

H. B. 500. To place county police in counties having cities of the second class under civil service.

H. B. 501. To provide that the state shall pay for all record books for circuit and county court clerks.

H. B. 502. An Act relating to the Primary System of Roads and Highways.

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H. B. 505. To define the practice of law and who may engage therein.

H. B. 506. To provide for the election of drainage district officers.

H. B. 507. To exempt unmanufactured agricultural products from real estate tax.

H. B. 508. To give county judges the right to probate sentence.

H. B. 509. To provide for the consolidation or abolishment of subdistricts of county school system.

H. B. 510. An Act relating to the Primary System of Roads and Highways.

H. B. 511. To authorize compensation to members of water works boards in cities of the first class.

H. B. 516. To provide pension for firemen in cities of the first class.

H. B. 517. To provide pensions for policemen in cities of the first class.

H. B. 518. To provide that life insurance companies must advise applicant in writing the reason for rejection.

H. B. 519. To provide for cancellation of uncollectable tax bills in first class cities.

H. B. 520. To regulate salaries paid county court commissioners.

H. B. 521. To provide for temporary comitment of persons of unsound mind.

H. B. 522. To put plumbing department under departments of public works in cities of the first class.

H. B. 523. To regulate collection of taxes in cities of the first class.

H. B. 528. To provide for keeping tax assessment books in cities of the first class.

H. B. 529. To provide for cancellation of unpaid tax bills in cities of the first class.

S. B. 73. An Act providing for the formation and conduct of burial associations.

S. B. 22. An Act to amend Section 4821, Kentucky Statutes, relating to weights and measures.

S. B. 153. An Act amending and re-enacting Section 2241, Kentucky Statutes, 1930 Edition.

H. B. 558. An Act establishing a State Park in Butler County.

H. B. 559. An Act relating to the appointment of county tax supervisors.

H. B. 560. An Act providing for qualifications for teachers.

H. B. 530. An Act relating to the primary system of roads and highways.

H. B. 531. An Act to make ineligible for appointment to any board, commission or office created by the Legislature, one who has been a member of that board or commission for a period of six years prior to.

H. B. 532. An Act to define, regulate and license real estate brokers and real estate salesmen.

H. B. 533. An Act creating in every county of this commonwealth a county liquor control board having exclusive jurisdiction in the issuing of permits and the revocation of same.

H. B. 534. An Act relating to greyhound racing in the Commonwealth of Kentucky.

H. B. 535. An Act relating to grounds for divorce of husband and wife and making insanity of either husband or wife, grounds for divorce.

S. B. 2. An Act to repeal three per cent sales tax.

S. B. 5. An Act to extend registration to voters outside of city limits of first, second, third and fourth class cities.

S. B. 7. An Act to repeal statute entitled "officers not entitled to seat in Legislature".

S. B. 18. An Act to recreate the Game and Fish Commission.

S. B. 22. An Act to amend law relating to weights and measures.

S. B. 25. An Act to amend Code of Practice in civil cases relating to new trials.

S. B. 31. An Act to allow credit to persons convicted for crime for time served before trial in event they are unable to furnish bail.

S. B. 45. An Act to fix capital stock of banks at $15,000.00 and in cities having a population of 50,000 or more not less than $50,000.00.

S. B. 52. An Act to authorize water districts in counties of the State which have been organized and are operating to issue refunding bonds.

S. B. 53. An Act to empower city or town operating public water supply system to extend system into contiguous territory.

S. B. 66. An Act to give quarterly courts concurrent jurisdiction with circuit courts in the trial of offences against motor vehicle laws.

S. B. 70. An Act to provide that in fixing compensation for members of county boards of elections the fiscal court may take into consideration the number of votes counted by the board, cost of counting and number of days necessary for board to be in session.

S. B. 73. An Act to provide for the formation and conduct of burial associations among employees of one employer.

S. B. 76. An Act to amend law relating to commitment of incompetent veterans of the World War.

S. B. 78. To prohibit sale or disposition of standing timber from land covered by mortgage.

S. B. 97. An Act to provide for the acquisition by the state of stereotyped plates, books and copyrights of the first seventy-seven volumes of the reports of the Court of Appeals.

S. B. 110. An Act to make it a misdemeanor for not extinguishing fires made in forest reserves or state or national parks.

S. B. 112. An Act to make it unlawful for persons to loiter in chuch or school buildings or upon grounds.

S. B. 138. An Act to authorize cities of the first class to construct law school buildings.

S. Res. 7. To authorize R. L. Bayne and Dell Brown to sue the Commonwealth and the State Highway Commission.

S. Res. 8. A concurrent resolution of the Senate and House requesting the United States Senate.

S. Res. 10. To express assent of the Kentucky Legislature to the provisions and purposes of the Act of Congress approved June 29, 1335.

S. Res. 17. To authorize R. E. Stanley to sue the Commonwealth or the State Highway Commission.

S. Res. 19. To authorize R. A. Bodkin to sue the Commonwealth or State Highway Commission.

S. Res. 22. To authorize Charlie Coogle to sue the State.

S. Res. 24. To authorize Nina Ruth Bennett to sue the State.

H. Res. 1. To authorize R. Young and Joseph Young to sue the Commonwealth.

H. Res. 3. Whereas, The Supreme Court on January 6, 1936, declared to be unconstitutional the A. A. A. program enacted by Congress for the purpose of maintaining a parity price for products.

H. Res. 26. To appropriate $296.81 to Hazel Duncan for services rendered McCreary County.

H. Res. 27. To appropriate $184.00 to Georgia Taylor for services rendered Wayne County.

H. Res. 28. To appropriate $124.38 to Owen D. Anderson for services rendered McCreary County.

H. Res. 39. To appropriate funds for relief of sheriff of Elliott County for acting as an agent of the State.

H. Res. 40. To authorize Harry D. Kremer to sue the State.

H. Res. 41. To authorize John Wright to sue the State.

H. Res. 42. To authorize Florence McQuire to sue the State.

H. Res. 43. To authorize representative of Clay Lightfoot to sue the State.

H. Res. 46. To provide for the payment of an additional assistant sergeant-at-arms in the House of Representatives.

H. Res. 47. To authorize Arch Wilson, Herbert Seale and Luther F. Morgan to sue the Commonwealth.

H. Res. 48. To appropriate money for paying contest fees in the Thomas vs. Jennings case.

H. Res. 49. To authorize Genevieve Collins to sue the State.

H. Res. 51. To authorize J. B. Lacefield to sue the State.

H. Res. 52. To authorize W. S. Curl to sue the State.

H. Res. 53. To authorize G. B. Hall to sue the Commonwealth.

H. Res. 54. To authorize Mrs. Alice Maker to sue the Commonwealth.

H. Res. 55. To authorize E. S. Howard to sue the Commonwealth.

H. Res. 56. Requesting an advisory decision by the Court of Appeals on H. B. 222.

H. Res. 57. A Joint Resolution providing for the payment of $475.00 out of the general expenditure fund for the purposes of Gnau paying to M. Livingston & Co.

H. Res. 58. A Joint Resolution.—Whereas, The kitchen equipment in the Capitol Restaurant is wholly inadequate and causes conditions to exist which are unsatisfactory to many who patronize the restaurant, etc.

H. Res. 59. A resolution authorizing Wm. C. Wells and Martha Wells to sue the Commonwealth.

H. Res. 60. A resolution designating highway beginning at the Kentucky-Tennessee state line and running to the Mammoth Cave National Park as the Cordell Hull Parkway.

H. B. 536. An Act relating to the Primary System of Roads and Highways.

H. B. 537. An Act relating to certification of Presidents, Registrars, Etc., in State Teachers Colleges in the Commonwealth of Kentucky.

H. B. 538. An Act to create the office of public defender and to provide the manner in which he is appointed and removed from office and to provide for his compensation in counties having a population of two hundred and fifty thousand, or more.

H. B. 359. An Act repealing and amending and re-enacting Section 3146 of Carroll's Kentucky Statutes.

H. B. 540. An Act relating to the Primary System of Roads and Highways.

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H. B. 549. An Act to divide the State of Kentucky into Circuit Court Judicial Districts, creating a new district, etc.

H. B. 550. An Act to prevent and punish the unlawful conversion and wrongful use of natural and manufactured gas, etc.

H. B. 551. An Act empowering the State Highway Commission as the sole authority to erect road markers, etc.

H. B. 552. An Act to amend the Constitution of the Com monwealth of Kentucky so as to authorize the Legislature to provide for the needy blind.

H. B. 553. An Act to provide for the postponement of the rendition of judgment and the use of probation in criminal cases and empowering the Department of Public Welfare to appoint a Director of Probation and Parole, etc.

H. B. 554. An Act to amend, revise and re-enact Section 883-10 of Carroll's Kentucky Statutes, 1930 Edition, relating to and authorizing the formation of non-profit, cooperative associations with or without capital stock, for the purpose of encouraging the orderly marketing of agricultural products, etc.

H. B. 555. An Act appropriating funds to the Kentucky Board of Pharmacy for the fiscal year ending 1936, and declaring an emergency.

H. B. 556. An Act to amend and re-enact Section 1 of

Chapter 3 of Acts of the General Assembly, 1934, being Section 101-1 of Chapter 8 of Carroll's Kentucky Statutes, relating to deeds, mortgages or wills.

H. B. 557. An Act providing for the licensing of hucksters in the Commonwealth of Kentucky.

H. Res. 58. Joint Resolution relating to kitchen equipment and appropriation for basement restaurant in State Capitol.

H. Res. 59. Resolution authorizing Wm. C. Wells and Martha Wells to sue the Commonwealth of Kentucky.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Mr. Munford moved that the privilege of the floor be extended to the Hon. O. A. Stanley, former Governor of this State.

Said motion was agreed to.

Thereupon the Hon. A. O. Stanley appeared upon the floor of the House Chamber where he addressed the members thereof.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 60. An Act to amend and re-enact Section

3235DD-35 so as to limit the power of the Board of Commissioners to ordain and put into execution, by-laws, rules and regulations for the government of the fire department of cities of the Second Class.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3235DD-35, Carroll's Kentucky Statutes, 1933 Edition, be and the same is hereby amended by inserting in the second paragraph thereof, after the words "may be deemed expedient" the following: "except that no member of a Fire Department herein authorized to be created, shall be compelled to remain on duty for more than twenty-four (24) hours in each consecutive period of forty-eight (48) hours unless such duty may become necessary by reason of fire, casualty, or other emergency" and that the second paragraph of said section, as so amended, be re-enacted so as to read as follows:

The City Manager shall have full control over the Police and Fire Departments of the City together with all the property and paraphernalia belonging thereto, and shall have the power to appoint a Chief of Police and all Policemen and Chief of the Fire Department and all subordinates, and the Board of Commissioners are empowered to ordain and put into execution such by-laws, rules and regulations for the government of each of said departments as may be deemed expedient except that no member of a Fire Department herein authorized to be created, shall be compelled to remain on duty for more than twenty-four (24) hours in each consecutive period of forty-eight (48) hours unless such may become necessary by reason of fire, casualty, or other emergency and to prescribe the qualifications, duties and grade of the members and officers of each department.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Eugene Gough	J. C. Nickell
Henry H. Allen	Ben Grogan	Russell O'Neill
C. W. Anderson, Jr.	C. L. Hammons	Mel Petry
H. T. Baker	W. L. Hampton, Jr.	A. W. Pfeiffer
W. T. Baker	Thomas W. Hines	J. C. Ramey
G. M. Ballard	Clyde S. Howard	Hobart Rayburn
B. F. Bedford	John M. Hunnicut	L. K. Rice
Reuben J. Boling	Ben W. Johnson	Wade H. Riley
Douglas Bolling	J. H. Jones	Joe E. Robinson
Wallace Brown	O. C. Jones	John C. Robinson
V. O. Chandler	R. T. Kirkman	W. T. Rollo
Floyd Clark	J. F. Ladd	A. W. Ross
Roscoe Claxon	Leslie Larrimore	Carl Scheben
J. A. Coleman	Robert E. Lee	Ray O. Shehan
Roy Conway	M. T. McCarthy	Dr. B. F. Shields
Harry Davis	T. B. McConnell	Chester D. Silvers
Sam Dever	J. L. McDermott	Bruce Sloan
Stanley S. Dickson	Lloyd MacDonald	H. C. Steely
George W. Dunlap	W. F. McGary	Henry Stewart
Howard G. Early	Elmer McGlothen	Dr. H. S. Swope
Garland Embry	John Marshall	W. R. Tapp
Walter R. Fannin	Duke Mayfield	R. Van Bever, Jr.
Chas. P. Farnsley	W. H. Miller	S. J. Wagner
T. P. Fitzpatrick	John B. Mollett	Henry Ward
H. Myer Garner	W. E. Mull	L. R. Wells
James Garnett, Jr.	Tyler Munford	W. G. Williams
G. W. Garrett	Rodes K. Myers	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 129. An Act to create a committee of four to be appointed by the President of the State Bar Association to authorize the revision and republication of the Kentucky Statutes at competitive bidding and to report to the Board of the State Bar Commissioners of the State of Kentucky and making an appropriation to defray the expenses thereof, and empowering the State Bar Commissioners of the State of Kentucky to adopt an official statute for the State of Kentucky, which statute when adopted by the Board of State Bar Commissioners of the State of Kentucky, shall be the official statute for the State of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a committee of four (4) is hereby created, for the purpose and with the powers herein defined. Said Committee shall be appointed by the President of the State Bar Association and vacancies in said Committee shall be filled by the President of the State Bar Association of the State of Kentucky. The said Committee shall be called the Statute Committee, and its members shall serve without pay, but shall be allowed and paid the actual expenses incurred. The members' actual expenses shall be paid out of the appropriation

hereinafter made upon vouchers approved by the Commissioners of the State Bar Association.

Said Committee is hereby authorized and empowered to revise and authorize the republication of the Kentucky Statutes at competitive bidding. It shall be the duty of said Committee to formulate, prepare and execute or cause to be formulated, prepared, or executed, a definite plan for the revision, classification, arrangement, printing, annotating, re-indexing and binding of the Statutes of a general nature of the session laws of the Legislature of the State of Kentucky, and to prepare and present to the proper Committee of each house such bills as may be required to harmonize and perfect the statute, including revisions, repeals, and other changes, necessary to effect the purpose of classifying, simplifying, codifying, and republishing the laws of the State of Kentucky.

Said Committee shall make its report to the Board of Commissioners of the State Bar Association of the work done by it and shall otherwise report to said Board of Bar Commissioners from time to time as called upon so to do.

The Board of Bar Commissioners of the State Bar Association of the State of Kentucky, is hereby empowered and authorized to adopt a Statute as revised, re-classified, re-arranged, re-annotated, re-printed, and bound, as hereinabove provided for, and when so adopted, said Statute shall be the official Statute of the Commonwealth of Kentucky, and in all actions and proceedings, the law contained therein may be cited or referred to as the law of the Commonwealth of Kentucky by reference to any citation of any of the Sections of said Statute, and any of the sections therein may be amended, or repealed by the General Assembly of the Commonwealth of Kentucky in the manner now provided by referring to and citation of the Section of said Statute without giving the date or title of the act from which the section is taken.

The sum and amount of Five Hundred Dollars ($500.00), is hereby appropriated and made available out of any funds

not otherwise appropriated to defray the actual expenses of said Committee.

This act shall be in full force and effect from and after its passage and approval, as required by law, and all acts of the Legislature in conflict herewith are hereby repealed.

Mr. Ward offered the following amendment to said bill, viz.:

Amend H. B. 129 by striking out all words of the bill following the enacting clause, and substituting therefor the following, to wit:

§ 1. That the Governor of Kentucky be and he is hereby directed, authorized and empowered to appoint a committee composed of four members to be selected from a list of eight persons, learned in law, submitted by the Board of Commissioners of the Kentucky State Bar, to be known as the Statutes Committee, which members shall hold office for four years. Vacancies in said Committee shall be filled by the Governor from names submitted in the same manner, two names to be submitted for each vacancy to be filled.

§ 2. Said Committee shall revise, codify, annotate and publish the Statute laws of Kentucky, including the Acts of 1936, or provide for the same to be done, through contract with some person, firm or corporation, which the Committee is authorized to do through receiving competitive bids, or otherwise, in their discretion.

§ 3. When so codified, revised, annotated and published, said Statutes shall be received in all the courts as prima facie evidence of the Statutory laws of Kentucky, in force at the time of such publication.

§ 4. The Committee, in its discretion, shall formulate, prepare and execute, or cause to be formulated, prepared and executed, a definite plan for the revision, classification, arrangement, annotation, indexing, printing, binding, publication, copyrighting, and distribution of said Statutes.

§ 5. The cost of each copy of such Statutes as so published shall not exceed the price fixed and determined by the Committee, and the Committee is authorized to fix and determine the sale price of same to the State of Kentucky, its subdivisions, and to the bar of the State.

§ 6. Before acting, the Committee members shall qualify by taking oath of office.

§ 7. The Committee shall not alter the language or sense of any act of the General Assembly. Said Committee shall report to the Board of Commissioners of the Kentucky State Bar, as and when required so to do.

Said amendment was agreed to.

Ordered that said bill be engrossed, and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	V. O. Chandler	Clarence E. Evans
Henry H. Allen	Floyd Clark	Walter R. Fannin
C. W. Anderson, Jr.	Roscoe Claxon	Chas. P. Farnsley
H. T. Baker	J. A. Coleman	T. P. Fitzpatrick
W. T. Baker	Roy Conway	H. Myer Garner
G. M. Ballard	Harry Davis	James Garnett, Jr.
B. F. Bedford	Sam Dever	G. W. Garrett
Reuben J. Boling	Stanley S. Dickson	Eugene Gough
Douglas Bolling	George W. Dunlap	Ben Grogan
Wallace Brown	Howard G. Early	Jas. T. Hamilton
Jas. C. Carter	Garland Embry	C. L. Hammons

W. L. Hampton, Jr.
Thomas W. Hines
Clyde S. Howard
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
John Marshall
Duke Mayfield
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
L. K. Rice
Wade H. Riley
Joe E. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie
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Mr. Ward offered the following amendment to the title of said bill, viz.:

Amend the title of H. B. 129 by striking out the entire title and substituting therefor the following, to wit:

An Act to provide for the codification, revision and publication of the Statutes of Kentucky; to create a Committee to be composed of four members to be known as the Statutes Committee, to be appointed by the Governor of Kentucky, from a list of eight persons submitted by the Board of Commissioners of the Kentucky State Bar; to provide for copyrighting, annotation, publication and sale of said Statutes, and to limit the price thereof; and to provide for the reception of said Statutes as prima facie evidence of the laws of the State of Kentucky, and for filling any vacancies within said Committee.

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Ward moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 121. An Act relating to the employment of State prisoners, etc.

Mr. Brown moved that said bill be made a Special Order of the Day, for Wednesday, February 5, at two o'clock P. M.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration, from the Orders of the Day, a bill entitled:

H. B. 148. An Act to authorize an appropriation for use by the Kentucky State Superintendent of Public Instruction to provide state aid for education in certain courses of study of state students in schools outside of the state for whom no such courses of study are provided in the educational institutions of the state and the conditions under which such state aid may be granted.

With a Committee amendment thereto by way of Substitute therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That pending the full development of the educational institutions of the Commonwealth of Kentucky, all bona fide residents of the state who are qualified for matriculation in courses of study offered at the University of Kentucky, but who, because of Section 187 of the Constitution of Kentucky, cannot pursue such courses at the University of Kentucky or other state institutions at which such courses are offered, shall have their annual tuition and fees paid by the Commonwealth of Kentucky.

§ 2. That such tuition and fees be ascertained by the State Superintendent of Public Instruction and paid upon requisition of the State Superintendent of Public Instruction out of funds not otherwise appropriated.

§ 3. That the State Board of Education shall prescribe the rules and regulations governing the granting of state aid under this act.

§ 4. Provided that the amount so appropriated hereunder shall not for any one year exceed the maximum sum of Five Thousand ($5,000.00) Dollars, and not exceeding One Hundred and Seventy-Five ($175.00) Dollars, per year for each student benefiting under this act for such purposes.

Said Substitute is as follows, viz.:

H. B. 148. An Act to provide state aid for education in certain courses of study of state students pursuing certain courses of study at educational institutions outside of the state for whom no such courses are provided in the educational institutions of the state, and prescribing the conditions under which such state aid may be granted and authorizing and directing the State Board of Education of Kentucky to administer the provisions of this Act, making an appropriation therefor and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That pending the full development of the educa-

tional institutions of the Commonwealth of Kentucky, all bona fide residents of this State at the time of making written application for the benefits provided in this Act and who have been such residents continuously for five (5) years next preceding the time of filing said application, and who are duly qualified for matriculation in courses of study offered at the University of Kentucky, but who, because of Section 187 of the Constitution of Kentucky cannot pursue such courses at the University of Kentucky or other State institutions at which such courses are offered, or who have otherwise qualified to pursue such courses therein, and who are now pursuing or may hereafter pursue such courses in educational institutions outside of the State whereof no courses of study are provided for such persons within this State, shall have their tuition and fees paid at such institution by the Commonwealth of Kentucky.

§ 2. That such tuition and fees be ascertained by the State Superintendent of Public Instruction and paid upon requisition of him out of funds not otherwise appropriated.

§ 3. That the State Board of Education shall prescribe the rules and regulations governing the granting of State aid under this act. In event the funds appropriated for the purpose of carrying out the provisions of this act are insufficient for the purpose in any year, said board of Education shall have the right to prorate the same among such persons whose applications are approved therefor pursuant to the provisions of this Act; and provided further, that not more than One Hundred and Seventy-Five ($175) Dollars shall be allowed to any such person for the purposes and under the provisions of this Act during any one school year of nine (9) months.

§ 4. That for the purpose of carrying out the provisions of this Act and for no other purpose, there is herby appropriated for the State Board of Education of Kentucky, out of funds in the State Treasury not otherwise appropriated the following sums: Five Thousand ($5,000.00) Dollars for the

fiscal year ending June 30, 1937; and Five Thousand ($5,000.00) Dollars for the fiscal year ending June 30, 1938.

§ 5. That if any part of this Act shall be held unconstitutional, such holding shall not invalidate any other portion thereof.

§ 6. It being immediately necessary for educational opportunity to certain persons of this Commonwealth, and for the preservation of the public peace, health and safety, an emergency is hereby declared to exist by reason whereof this Act shall take effect and be in full force from and after passage and approval.

Said Substitute was then adopted.

Ordered that said bill be engrossed, and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Roscoe Claxon	T. P. Fitzpatrick
Henry H. Allen	George S. Clay	H. Myer Garner
C. W. Anderson, Jr.	J. A. Coleman	James Garnett, Jr.
H. T. Baker	Roy Conway	G. W. Garrett
W. T. Baker	Harry Davis	Ferd A. Gnau
G. M. Ballard	Sam Dever	Eugene Gough
B. F. Bedford	Stanley S. Dickson	Ben Grogan
Reuben J. Boling	George W. Dunlap	C. L. Hammons
Douglas Bolling	Howard G. Early	W. L. Hampton, Jr.
Wallace Brown	Garland Embry	Thomas W. Hines
Jas. C. Carter	Clarence E. Evans	Clyde S. Howard
V. O. Chandler	Walter R. Fannin	Ira W. Hulette
Floyd Clark	Chas. P. Farnsley	John M. Hunnicut

Ben W. Johnson	Tyler Munford	P. L. Sidebottom
J. H. Jones	Rodes K. Myers	Chester D. Silvers
O. C. Jones	Russell O'Neill	Bruce Sloan
J. F. Ladd	Mel Petry	H. C. Steely
Leslie Larrimore	A. W. Pfeiffer	Henry Stewart
Robert E. Lee	J. C. Ramey	Dr. H. S. Swope
M. T. McCarthy	Hobart Rayburn	W. R. Tapp
T. B. McConnell	Harry C. Records	J. J. Thomas
J. L. McDermott	L. K. Rice	R. Van Bever, Jr.
Lloyd MacDonald	Wade H. Riley	S. J. Wagner
W. F. McGary	Joe E. Robinson	Henry Ward
Elmer McGlothen	John C. Robinson	L. R. Wells
John Marshall	W. T. Rollo	W. G. Williams
Duke Mayfield	A. W. Ross	Charles Wylie
W. H. Miller	Carl Scheben	
John B. Mollett	Ray O. Shehan	
W. E. Mull	Dr. B. F. Shields	–87

Resolved that the title thereof be as amended.

Mr. Gnau moved that said bill be known as "The Anderson-Mayer State Aid Act."

Said motion was agreed to.

Mr. Gnau moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Dr. Shields moved that the House do now recess for thirty minutes.

Said motion was agreed to.

And then the House recessed.

The hour of two-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 427. An Act to provide old age assistance (pensions); to prescribe qualifications and eligibility of persons entitled to same; to provide for the reimbursement by the Federal government of fifty per cent (50%) of all amounts granted and expended under the terms of this Act; to provide for the establishment of a division of assistance and pensions in and by the Department of Public Welfare for the administration of this Act; to provide for the personnel of the said division of assistance and pensions, and for the salaries thereof; and to provide for the repeal of all laws or parts of laws in conflict herewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. *Persons eligible to receive old age assistance.*—Old age assistance shall be given under this Act beginning July 1, 1936, to any person who

(a) Has attained the age of sixty-five (65) years;

(b) Has income which, with contributions, money, subsistence, or service from relatives or others, is inadequate to provide a reasonable subsistance;

(c) Is a citizen of the United States;

(d) Has been a resident of the State of Kentucky continuously for one year immediately preceding the date on which application is made for old age assistance, and for at least five of the nine years immediately preceding his application;

(e) Is not at the time of receiving assistance an inmate of any public or private institution, except in the case of temporary medical or surgical care in a hospital;

(f) Has not made a voluntary assignment or transfer of property for the purpose of qualifying for such assistance, except as hereinafter provided; and

(g) Is not because of his physical or mental condition in need of continued institutional care.

§ 2. *Amount of assistance.*—It shall be the duty of the State agency administering this Act to provide a reasonable subsistence for those eligible for old age assistance under this Act. The amount of old age assistance to any such person shall be determined by the State agency, with due regard to the conditions existing in each case, and subject to the rules and regulations and standards to be devised and set up by the Department of Public Welfare; but in no case shall the amount awarded any individual exceed the sum of fifteen dollars ($15.00) per month.

§ 3. *Application.*—Any eligible person may request old age assistance, and he shall make his application to the State agency in writing, upon standard forms prescribed by the agency. An inmate of a public or private institution may make application while in such institution, but the assistance, if granted, shall not be paid the applicant until after he has ceased to be an inmate of such institution.

§ 4. *Administration.*—There is hereby created in the Department of Public Welfare a division to be known as the division of assistance and pensions (herein referred to as the State agency), which shall be in charge of and conducted by a director, appointed by the Governor of the State for a term of four years, but may be removed by the Governor at any time at his pleasure. The salary of the said director shall be three thousand six hundred dollars ($3,600.00) per annum. The director shall appoint such assistants, investigators, and clerical help as are necessary to properly administer this Act; and he shall fix the terms of employment and the compensation of such appointees; provided, such appointments, terms, and salaries shall be sub-

ject to the approval of the Governor. The Department of Public Welfare shall prescribe the form of, and print and supply the blanks for, applications, reports, affidavits and such other forms as it may deem necessary and advisable. The Department of Public Welfare shall make rules and regulations for determining or establishing the date of birth or age of all applicants for assistance, for determining the need for assistance of all applicants, and for further carrying out the provisions of this Act, and shall determine and fix the amount of assistance to be granted, which in no case shall exceed fifteen dollars ($15.00) per month. The amount of assistance granted any applicant may be changed or discontinued at any time upon investigation of the need for such assistance. This Act shall be administered uniformly throughout the State, with due regard for the varying costs of living in different parts of the State; but there shall be no discrimination between applicants as to amounts granted, except as based on the varying costs of living in different parts of the State. The director of the division of assistance and pensions and all official representatives of the division are hereby authorized to administer oath to any person questioned for the purpose of determining the eligibility for assistance of applicant.

§ 5. *Investigation of applicants.*—Whenever an application for old age assistance is received, an investigation and record shall be promptly made of the circumstances of the applicant to ascertain the facts supporting the application and to secure such other information as may be required by the rules and regulations prescribed by the Department of Public Welfare.

§ 6. *Granting of assistance.*—Upon the completion of such investigation the Department of Public Welfare shall decide whether the applicant is eligible for old age assistance under this Act, the amount of such assistance, and the date on which payment shall begin. It shall notify the ap-

plicant, in writing, of the decision regarding his application; and, if any applicant is denied assistance or is awarded an amount deemed by him inadequate, he may appeal to the Department of Finance and Budgetary Control. All awards of assistance made by the Department of Public Welfare shall at all times be subject to review by the Department of Finance and Budgetary Control, and any recommendations made by the Department of Finance and Budgetary Control shall be made effective by the Department of Public Welfare.

§ 7. *Recipient not to receive other public assistance* —No person receiving old age assistance under this Act shall at the same time receive any other relief from the State or from any political subdivision thereof, except for medical and surgical purposes.

§ 8. *Payment to guardian.*—If any person receiving old age assistance, on the testimonial evidence of witnesses, is found incapable of taking care of himself or his money, payment of the installments of assistance may be made to any responsible person for his benefit.

§ 9. *Discontinuance of payments.*—Payments of assistance granted under this Act shall immediately be ceased on the death of a recipient, or on his removal of domicile from this State.

§ 10. *Assignment of assistance.*—All assistance given under this Act shall be inalienable by any assignment or transfer, and shall be exempt from levy or execution under the laws of the State.

§ 11. *Claims against the estate of assisted person.*— The total amount paid to any recipient of old age assistance under this Act shall constitute a lien upon the estate of such recipient. On the death of a person receiving assistance under this Act, or of the survivor of a married couple, both of whom were assisted, the total amount paid as assistance, with interest, shall be allowed and deducted from the estate

by the court having jurisdiction to settle the estate, and paid to the State. The Department of Public Welfare shall require, as a condition to granting assistance in any case, that the applicant submit a properly acknowledged agreement to reimburse the State for all assistance granted. At any time the Department of Public Welfare may execute and file with the clerk of the probate court a certificate, in form to be prescribed by the Department of Public Welfare, showing the amount of assistance paid to said person. When so filed each certificate shall be a legal claim against both the said person and his estate and shall have the same force and effect as a judgment at law.

§ 12. *Assistance; how paid.*—The Department of Public Welfare, on or before the first day of each month, shall certify to the Auditor of Public Accounts the amount due and payable to each person who has been granted old age assistance, and the Auditor shall cause to be issued warrant on the State Treasurer for the amount so certified. All moneys awarded and payable under the provisions of this Act shall be paid from funds appropriated by the General Assembly in its biennial appropriation Act. The General Assembly shall also appropriate such sum as it deems necessary for the expenses of administering this Act.

§ 13. *Fraudulent acts.*—Any person who by means of a willfully false statement or representation, by impersonation, or by other fraudulent device not named herein, obtains, attempts to obtain, or aids or abets any person to obtain: (a) assistance to which he is not entitled; (b) greater assistance than that to which he is justly entitled; (c) payment of any forfeited installment grant; or (d) disposal of the property of the recipient of assistance without the consent of the Department of Public Welfare shall be guilty of a misdemeanor, and fined not less than fifty dollars ($50.00) nor more than five hundred dollars ($500.00).

§ 14. *Federal participation.*—The Department of Pub-

lic Welfare is hereby authorized and directed to make to the Federal Government such reports as may be required of it, and the Department of Public Welfare shall make application to the Federal Government, at such time and in such manner as is prescribed in the Federal Social Security Act and the rules and regulations thereunder, for such amounts of money as are provided in the Secial Security Act for aiding states to grant old age assistance. All moneys thus received from the Federal Government shall be covered into the State Treasury and used solely for paying of old age assistance, except that such amounts as are provided by the Federal Government for the purpose of defraying the expense of carrying out this Act shall be employed and expended solely for that purpose.

§ 15. *Provisions severable.*—The provisions of this Act are severable. If any provision hereof or the application of any provision to any situation or person is declared unconstitutional or otherwise invalid, such declaration shall not impair the validity or affect the operation of any other provision or of its application.

§ 16. *Repealing clause.*—All laws or parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

Mr. McCarthy offered the following amendment to said bill, viz.:

Said amendment was agreed to.

Amend H. B. 427 by adding in line 4, Section 7, the following, "and provided any local public agency, may augment the amount of aid provided under this Act in such amount as may be deemed necessary by the said local agency."

Said motion was agreed to.

Mr. McCarthy offered the following amendment to said bill, viz.:

Amend H. B. 427 by adding in line 13, page 6 the following: "The Federal Government shall be paid one-half of all amounts recovered under Section 11 of this Act.

Mr. Bowen moved that said bill and amendments thereto be made a Special Order of the Day for tomorrow at three o'clock P. M.

Said motion was agreed to.

Mr. Hammons moved that an additional three hundred copies of said bill be ordered printed and distributed to the members of this House.

Said motion was disagreed to.

At the instance of the Committee on Rules, the following bill was introduced, ordered printed and referred:

By Mr. Riley:

H. H. 567. An Act relating to revenue and taxation; and repealing, amending and re-enacting Section 1 of Chapter 20 of the Acts of the General Assembly of the Commonwealth of Kentucky passed at the Extraordinary Session of the General Assembly, which was begun in the city of Frankfort, Kentucky, on Wednesday, May 9, 1934, and ended on Monday, July 2, 1934, and entitled: "An Act relating to revenue and taxation, repealing, amending and re-enacting Chapter 102 of the Acts of the General Assembly of 1934, defining motor vehicles classed as trucks; providing for registration fees of such motor vehicles, and declaring an emergency to exist."

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1 of Chapter 20 of the Acts of the General Assembly of the Commonwealth of Kentucky, passed at the Extraordinary Session of the General Assembly, which was begun in the City of Frankfort, Kentucky, on Wednesday, May 9, 1934, and ended on Monday, July 2, 1934, be repealed, amended and re-enacted so that when said section is re-enacted it shall read as follows:

"That all motor vehicles, excluding such as are mentioned in subsection c of Section 2739g-2, Carroll's Kentucky Statutes, 1930 Edition, and excluding motor vehicles engaged in hauling passengers for hire, are classified as trucks and the annual registration fee shall be as follows:

"Those having a capacity of one thousand pounds or less, ten ($10.00) dollars; those having a capacity of more than one thousand pounds and up to two thousand pounds, twenty-two ($22.00) dollars; those having a capacity of more than two thousand pounds and up to three thousand pounds, forty ($40.00) dollars; those having a capacity of more than three thousand pounds and up to four thousand pounds, fifty-two ($52.00) dollars; those having a capacity of more than four thousand pounds and up to five thousand pounds, sixty-three ($63.00) dollars; those having a capacity of more than five thousand pounds and up to six thousand pounds, seventy-one ($71.00) dollars; those having a capacity of more than six thousand pounds and up to seven thousand pounds, ninety-three ($93.00) dollars; those having a capacity of more than seven thousand pounds and up to eight thousand pounds, one hundred and twelve ($112.00) dollars; those having a capacity of more than eight thousand pounds and up to nine thousand pounds, one hundred and thirty-eight ($138.00) dollars; those having a capacity of more than nine thousand pounds and up to ten thousand pounds, one hundred and eighty-seven

($187.00) dollars; those having a capacity of more than ten thousand pounds, two hundred and thirty ($230.00) dollars; and twenty-five ($25.00) dollars for each additional ton or fraction of a ton in excess of ten thousand pounds. The applicant for license for a motor truck shall state in his application the capacity of the truck.

"Providing that any person who applies for the registration of a truck having a capacity of three thousand pounds or less, in addition to the requirements to secure registration for said truck, files with the county court clerk an affidavit stating that he is a farmer solely engaged in the production of crops, livestock or dairy products, and that he owns a truck of the capacity of three thousand pounds or less, and that he has caused to be printed upon each side of the bed of said truck the words 'FARMER'S TRUCK', in red letters not less than three (3) inches in height, and that said truck for the next twelve months shall not be used in the transportation of anything for hire but is to be used only in transporting persons, food, provender, feed and machinery used in operating his said farm and the products grown upon said farm, and for no other purpose; then, in that event said person shall be permitted to register said truck and shall be charged therefor only four dollars and fifty cents ($4.50).

"All acts and parts of acts in conflict herewith are hereby repealed."

To Committee on Rules.

Dr. Shields, of the Committee on Rules to which the same had been referred, reported bills of the following titles:

H. B. 561. An Act to amend Section 256 of the Constitution of the Commonwealth of Kentucky prescribing the mode of amendment of said Constitution.

H. B. 562. An Act relating to State appointive officers

and State employees; declaring it unlawful for same to engage in pernicious political activity; providing penalties therefor; etc.

H. B. 563. An Act to amend Section 3486, etc., Kentucky Statutes 1930, relating to cities of the fourth class, declaring an emergency to exist.

H. B. 564. An Act relating to ditches in counties having more than 75 separate drainage districts; etc., and declaring an emergency to exist.

H. B. 565. An Act relating to wills, etc.

H. B. 566. An Act to amend Section 2519, Kentucky Statutes, Carroll's 1930 Edition.

H. Res. 61. Joint resolution for the payment of Burnam Bach, ex-deputy sheriff of Breathitt County, for his expenses and charges insistent thereto, in the extradition of Winston Elkins, fugitive from justice. from Leavenworth, Kan.

H. B. 567. An Act relating to revenue and taxation; defining motor vehicles classed as trucks, etc.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Dr. Shields moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, FEBRUARY 4, 1936.

The House was opened with prayer by the Reverend Alexander M. Warren of the Presbyterian Church, North, of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. T. Allen
Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
G. M. Ballard
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Clarence E. Evans
Walter R. Fannin
Chas. P. Farnsley
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
C. S. Matherly
D. T. Matlack
Duke Mayfield
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall

Henry Ward W. G. Williams Charles Wylie
L. R. Wells

Mr. Davis moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Wells moved that the privilege of the floor be extended to Mr. Henry Bell.

Said motion was agreed to.

Mr. Silvers moved that the privilege of the floor be extended to Mr. George Hunt Mitchell of Lexington, Kentucky.

Said motion was agreed to.

Dr. Shields moved that the House do now recess for one hour.

Said motion was agreed to.

And then the House recessed.

The hour of eleven-thirty o'clock A. M. having arrived, the Speaker resumed the Chair and called the House to order.

Mr. McCarthy moved that the privilege of the floor be extended to Mr. J. T. Jenning of Morehead, Kentucky.

Said motion was agreed to.

Mr. Wells moved that the privilege of the floor be extended to Mr. W. J. Harris.

Said motion was agreed to.

Mr. Riley moved that the privilege of the floor be extended to Mr. George M. Taylor.

Said motion was agreed to.

Mr. Conway moved that the privilege of the floor be extended to Mrs. Bessie R. Arnold and Mr. Robert Johnson.

Said motion was agreed to.

Mr. Fitzpatrick moved that the privilege of the floor be extended to Mr. Theron Johnson from Warren County.

Said motion was agreed to.

Mr. Gnau offered the following resolution, viz.:

Joint Resolution commemorating the life and death of the late Woodford Fitch Axton, of Kentucky.

Whereas, Woodford Fitch Axton, a great Kentuckian, and a great humanitarian, departed this life on February 4, 1935, and

Whereas, His death is an irreparable loss to his friends and the state at large:

Be it Resolved, That in recognition of his patriotic services, his progressive and ethical business practices, his broad and benevolent humanitarianism, his great devotion to his city and state, and the glory that he brought to his state through a life of brilliant and constructive service, the General Assembly and the Commonwealth of Kentucky recognize his great achievements by adopting these resolutions, which are to become a part of the record of this Body.

Be it Further Resolved: That one copy of these resolutions be sent to the President of the company over which he so brilliantly presided for many years, and one to his bereaved family.

Said resolution was adopted.

Upon a call of the Counties and Legislative Districts, the following bills were introduced, ordered printed and referred as follows:

By Mr. Mollett:

H. B. 568. An Act establishing as a part of the primary system of public roads, a road in Johnson County, Kentucky, known as the Litteral highway.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as part of the primary system of the state of Kentucky, a road beginning at the Conley store at Oil Springs on the Garrett highway, Route 40, thence down Little Paint to the Davis school house, thence to the Colvin Branch, thence to Volga on the Jenny Wiley trail.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways, the same as though said road had been named in said original act as one of the projects of said primary system of highways.

By Mr. Davis:

H. B. 569. An Act creating and establishing as a part of the primary system of highways of the commonwealth of Kentucky a road beginning at Kinnett's school house on Jones Fork in Marion County, Kentucky, and running northeast about six miles to the Gravel Switch pike up the North Rolling Fork.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Kinnett's school house on Jones Fork in Marion County, Kentucky, and running northeast about six miles to the Gravel Switch pike up the North Rolling Fork.

§ 2. That the road now established as a part of the primary system of highways of the commonwealth of Kentucky shall be entitled to all the rights privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

By Mr. Baker:

H. B. 570. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning in Green County, Kentucky, on the Columbia and Greensburg highway No. 61, at a point near Gresham, Kentucky, and running by way of Ebeneezer church to Roachville and thence up Meadow Creek to an intersection of the Campbellsville and Columbia highway at Hatcher, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the commonwealth of Kentucky a road beginning in Green County, Kentucky, on the Columbia and Greensburg highway No. 61, at a point near Gresham, Ketucky, and running by way of Ebeneezer church to Roachville and thence up Meadow Creek to an in-

tersection of the Campbellsville and Columbia highway at Hatcher, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

By Mr. Baker:

H. B. 571. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Federal Highway No. 61 near Milltown, Adair County, Kentucky, via Portland, Picketts chapel and Mell, intersecting with the Greensburg and Edmonton state highway at or near Exie, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Federal highway No. 61 near Milltown, Adair County, Kentucky, via Portland, Picketts chapel and Mell, intersecting with the Greensburg and Edmonton state highway at or near Exie, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, priveleges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

By Mr. Holbrook:

H. B. 572. An Act amending Sections 98a-1, 98a-2, 98a-3, 98a-4, 98a-5, 98a-6 and 98a-7 of Carroll's Kentucky

Statutes, 1930 Edition, so as to permit all persons who have served twelve (12) consecutive years as clerk of a circuit court to practice law without taking the bar examination.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections 98a-1, 98a-2, 98a-3, 98a-4, 98a-5, 98a-6 and 98a-7 of Carroll's Kentucky Statutes, 1930 Edition, be amended so as to permit all persons who have served twelve consecutive years as clerk of a circuit court, to practice law in all the courts of this state without taking the bar examination and that when so amended Section 98a-1 of Carroll's Kentucky Statutes will read as follows:

Sole method of licensing.—No person other than persons furnishing satisfactory evidence that they have been elected and served for twelve consecutive years as circuit court clerk, who shall be admitted to practice law and given a license to so practice upon furnishing satisfactory evidence of their having been elected and served for twelve consecutive years as clerk of the circuit court, shall hereafter be licensed as an attorney or counsellor at law in this state, except as herein provided for.

By Mr. Garnett:

H. B. 573. An Act amending the Constitution of the Commonwealth of Kentucky, relating to the reorganization of county and state government into single county-wide governmental units, or into a single county-wide group of interrelating and inter-dependent units.

Said bill is as follows, viz.:

Be it eacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon the concurrence of three-fifths of all

members elected to each House of the General Assembly of the Commonwealth of Kentucky, the ayes and nays being taken thereon and entered in full in their respective journals, that there be and is hereby adopted an amendment to the Constitution of the Commonwealth of Kentucky, which shall read as follows:

By uniform laws—of application either State-wide, or according to a classification based on population—the General Assembly is empowered to reorganize county and city governments into single county-wide governmental units or into a single county-wide group of inter-related and inter-dependent units. To this end the General Assembly is empowered to enact legislation authorizing uniform laws, according to classification based on population, whereby the city and county governments may be consolidated with all the governmental powers necessary for such units to function, including the power to abolish, change and create offices, courts of special jurisdiction, and other governmental agencies. The unitary governments shall be representative in form; and no elected officer shall hold office for a term exceeding six years; no appointive officer, unless under civil service, or like merit system, shall hold office for a longer term than the elected officer responsible for his appointment. The tax and debt provisions of this Constitution shall apply to the single unit, to the group and to the inter-dependent units. The constitutional jurisdiction of the courts shall remain unchanged except: (1) In abolishing the County Court, the Legislature may transfer its jurisdiction into a newly created branch of the Circuit Court (probate and administration); and may also transfer to that branch jurisdiction in all matters affecting domestic relations and juvenile welfare; (2) Municipal courts may set up with criminal jurisdiction equal to that of the police court of a first-class municipality, and civil jurisdiction equal to that of a magistrate or justice of the peace.

§ 2. This amendment shall be published and submitted to the voters of the State for their ratification or rejection at the time and in the manner provided under Sections 256 and 257 of the Constitution of the Commonwealth of Kentucky and under Section 1459 of Baldwin's Revised Edition of Carroll's Kentucky Statutes of 1930, official edition.

By Mr. Pfeiffer:

H. B. 574. An Act regulating the practice and profession of Pharmacy and the manufacture, sale and distribution of drugs, medicines, chemicals, and poisons in the Commonwealth of Kentucky, defining certain terms and providing penalties for the violation thereof; creating the offices of and defining the duties of Commissioner of Pharmacy charged with the administration of this Act, examiners of Pharmacy, and other necessary assistants, providing for their appointment and fixing their compensation; providing for the manner and form of conducting examinations of applicants for Registered Pharmacist and awarding diplomas; providing for the licensing of Registered Pharmacists; providing for the automatic registration of Assistant Registered Pharmacists; providing for the licensing of manufacturers and vendors of drugs, medicines, chemicals and poisons, and renewals of same; fixing the requirements of colleges of pharmacy; providing for attendance of meetings with State Boards of other states and co-operating with the National Association of Boards of Pharmacy; fixing the qualifications of applicants for Registered Pharmacist and for reciprocation; providing for the labeling of prescriptions, medicines and pharmaceutical preparations, keeping records of same and fixing penalties for violation; prohibiting the adulteration of drugs and fixing penalties for violation; regulating the sale of poisons and emmenagogues and fixing penalties for violation; prohibiting the peddling of drugs, medicines and medical appliances and fixing penalties for violation; regulating the dis-

tribution of samples and providing penalties for violation; exempting Registered Pharmacists from jury duty or service; repealing Sections 2619 to 2635, inclusive, and 1376T and 1376T-1, Carroll's Kentucky Statutes, 1934 Edition, and all Acts and parts of Acts in conflict herewith, and providing that the invalidation of one section shall not effect the rest of this Act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Common wealth of Kentucky

§ 1. (a) "Pharmacist", when not otherwise limited, means a person duly registered or licensed by the Commonwealth of Kentucky to practice pharmacy in this State.

(b) "Pharmacy", "Drug Store", "Parmacy Department", "Prescription Laboratory", "Dispensary", or "Apothecary", when not otherwise specifically designated, shall for the purpose of this Act mean a place registered or licensed by the Commissioner of Pharmacy, where drugs, medicines, prescriptions, chemicals or poisons are compounded, dispensed or retailed.

(c) "Chemical" or "Chemicals", where not otherwise designated or limited means definite chemical compounds or the chemical materials of medicine.

(d) "Medicine", or "Medicines", where not otherwise limited means a drug, drugs, chemicals, compounds or preparations thereof, and all substances and preparations, and any substance or mixture of substances, intended to be used internally or externally for the cure, mitigation or prevention of disease of either man or animal.

(e) "Drug" or "Drugs", where not otherwise limited, means any substance or substances used as medicine or in the preparations of medicines.

(f) "Commissioner" or "Commissioner of Pharmacy",

wherever used in this Act, shall mean the Commissioner of Pharmacy of this State as provided in this Act.

(g) "Examiners" or "Examiners of Pharmacy", whenever used in this Act, shall mean the Examiners of Pharmacy as provided in this Act.

(h) "Pharmacopoeia", wherever used in this Act, unless otherwise limited, means the latest edition of the Pharmacopoeia of the United States of America.

(i) "Formulary", wherever used in this Act, unless otherwise limited, means the latest edition of the National Formulary.

(j) "Poisons", where not otherwise limited, means any drug, chemical, medicine or preparation liable to be destructive to adult human life in quantities of sixty grains or less.

(k) 1—"Physician", means a practitioner of medicine duly registered under the laws of the State of Kentucky.

2—"Dentist", means a practioner of dentistry duly registered under the laws of the State of Kentucky.

3—"Veterinarian", means a practioner of veterinary medicine duly registered under the laws of the State of Kentucky.

(l) "Manufacturer", wherever used in this Act, unless otherwise limited, means a person, firm, corporation, or copartnership, who by compounding, mixing, cultivating, growing or other process, provides or prepares drugs, chemicals, medicines or poisons, patents or proprietaries.

§ 2. There is hereby created the office of "Commissioner of Pharmacy" in whom shall be lodged the governing authority of the Pharmaceutical profession in the Commonwealth of Kentucky. The first Commissioner of Pharmacy, under this Act, shall be appointed by the Governor of the Commonwealth of Kentucky. Provided, however, that in 1940 and thereafter a list of five eligible names shall be submitted by the Kentucky Pharmaceutical Association at its

regular annual meeting in the year in which the appointment of the Commissioner of Pharmacy is made. Any vacancy that may occur must be filled from the list last submitted. The appointment of the Commissioner of Pharmacy shall become effective on July 1, 1936, and he shall hold office for a term of four years or until his successor is appointed and qualifies for said office. No person shall be appointed Commissioner of Pharmacy who is not a graduate of an accredited College of Pharmacy or who is not licensed as a Registered Pharmacist in Kentucky or who has not had five years actual and practical experience in compounding medicines and filling prescriptions of licensed physicians, dentists, and veterinarians nor shall he be connected with any school or college of Pharmacy in a professorial or executive capacity. The salary of the Commissioner of Pharmacy shall be four thousand ($4,000.00) dollars per annum and his necessary traveling expenses, to be paid in monthly installments from the State Treasury upon his requisition in the form and manner prescribed by law for the compensation of public officers.

The Commissioner of Pharmacy shall make all rules and regulations governing the practice of pharmacy in this Commonwealth not inconsistent with this Act. It shall be the duty of the Commissioner of Pharmacy to appoint an Assistant, who must be a Registered Pharmacist, and who shall combine the duties of inspector of Pharmacy. The Commissioner of Pharmacy may appoint such other clerical help as may be necessary in the proper conduct of the office of Commissioner of Pharmacy. The salary and traveling expenses of such assistant and clerical help shall not exceed four thousand ($4,000.00) dollars per annum in the aggregate.

All fees and fines imposed and recovered under the provisions of this Act shall be collected by the Commissioner of Pharmacy, and he shall, at least once a month deposit same with the State Treasurer who shall place such moneys in a

revolving fund subject to withdrawal by the Commissioner of Pharmacy in the manner and form prescribed by law.

The Commissioner of Pharmacy shall make a written report annually to the Governor of the State and to the Kentucky Pharmaceutical Association, of its proceedings and of the receipts and disbursements under this Act, including also the names of all registrants duly licensed under this Act and records of all permits and renewals issued under this Act.

It shall be the duty of the Commissioner of Pharmacy or his assistant to enforce the provisions of all laws of the State which pertain to the practice of pharmacy, the manufacture, sale, or distribution of drugs, medicines, chemical and poisons, and their standard of strength and purity.

The Commissioner of Pharmacy shall be required to execute a bond in the sum of five thousand ($5000.00) dollars, for the faithful performance of his duties, the cost of said bond to be defrayed out of the funds in his keeping.

2—It shall be the duty of the Commissioner of Pharmacy to appoint four "Examiners of Pharmacy" who shall hold their office at the pleasure of the Commissioner of Pharmacy and whose qualifications shall be the same as that of Commissioner of Pharmacy. It shall be the duty of the Examiners of Pharmacy to hold examinations at least twice a year for applicants for Registered Pharmacists and to recommend for license such persons as are entitled under this Act to become Registered Pharmacists, under rules and regulations adopted by them and approved by the Commissioner of Pharmacy. For their services each Examiner of Pharmacy shall receive a salary of two hundred ($200.00) dollars per annum and his necessary expenses, to be approved and paid upon the order order of the Commissioner of Pharmacy.

Every diploma awarded to an applicant as Registered Pharmacist, after the passage of this Act, shall be signed by the Examiners of Pharmacy and countersigned by the Commissioner of Pharmacy.

In conducting all examinations for applicants for Registered Pharmacists, it is provided that the papers of each applicant shall bear only a number, but no name shall appear on any paper. Each applicant for examination shall in addition be given a grade card upon which all oral subjects are set forth and which shall bear the same number as the application. The number given each applicant shall be designated by the Commissioner of Pharmacy.

§ 3. That except as in this Act provided it shall be unlawful in the Commonwealth of Kentucky for any person who is not a Registered Pharmacist, within the meaning of this Act, to vend at retail, compound or dispense any drug, medicine, chemical, poison or pharmaceutical preparation for medicinal use, or compound and dispense Physicians', Dentists' and Veterinarians' prescriptions.

It shall be unlawful in the Commonwealth of Kentucky to manufacture any drug, medicine, chemical, poison, pharmaceutical preparation, patent or proprietary medicines unless said establishment be and is in charge of a Registered Pharmacist or Manufacturing Chemist.

Any person violating the provisions of this section shall be fined not less than twenty dollars nor more than fifty dollars, or confined in jail for a period of not less than thirty days nor more than six months, or both such fine and imprisonment for the first offense. For each subsequent offense the penalty shall be a fine of not less than one hundred dollars nor more than five hundred dollars or confined in jail for a period of not less than six months nor more than one year, or both such fine and imprisonment.

§ 4. It shall be unlawful for any person or persons, firm, corporation, co-partnership, to open or conduct a place of business, pharmacy, dispensary, drug store, apothecary shop or store in which drugs, medicines, or poisons are retailed, compounded and dispensed, or to stock, expose, or offer for sale at retail any drugs, medicines, chemicals or poi-

sons, except as otherwise specifically provided; or to use or exhibit the title "Drugs", "Drug Store", "Drug Shop", "Pharmacy", or "Apothecary", or any combination of such words or titles or any title or description of like import, or any other term or terms designated to take the place thereof without placing in active personal charge at each place of business, during all hours that said place is open for business, a pharmacist duly registered and licensed under the laws of this State. Any person or persons, firm, corporation, or copartnership violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be liable to a fine of not less than one hundred dollars nor more than two hundred dollars, or imprisonment in jail from six months to one year, or both such fine and imprisonment. Each and every day that such violation continues to exist shall constitute a separate and distinct offense.

§ 5. Any person who is more than twenty-one years of age, of good moral character, possessing such standards of education, both academic and pharmaceutical, and such practical experience as the Commissioner of Pharmacy may from time to time determine, filing written application, properly verified, setting forth his age, residence, education, and practical experience as may be required, after passing a satisfactory examination to be conducted in the English language before the Examiners of Pharmacy, under such rules and regulations as may from time to time be determined, shall be entitled to a certificate as a Registered Pharmacist, upon the payment of a fee to the Commissioner of Pharmacy of not less than ten dollars nor more than twenty-five dollars as said Commissioner of Pharmacy may from time to time fix.

Any person now entitled to practice pharmacy and being duly licensed in the Commonwealth of Kentucky as a Registered Assistant Pharmacist, and being holder of a certificate to that effect, heretofore issued to him, said certificate bearing the words "awarded upon examination", shall hereafter

be entitled to practice as a Registered Pharmacist within the State of Kentucky, and it shall be the duty of the Commissioner of Pharmacy, upon demand and a proper showing, to issue to any such person, a certificate of registration as now provided by law for Registered Pharmacists, without further examination, and upon surrender to said Commissioner of Pharmacy of the certificate heretofore issued to him as a Registered Assistant Pharmacist, he shall become and be in all respected and entitled to all the rights, privileges and emoluments of, a duly licensed and Registered Pharmacist, within the State of Kentucky, and subject to all rules and regulations now in force and effect, relating to Registered Pharmacists, not inconsistent with this Act.

PROVIDED, further, that the Commissioner of Pharmacy may in its discretion register as a pharmacist, without examination, upon the payment of the fee or fees as may be required and under such rules and regulations as the Commissioner of Pharmacy shall determine, any person who is duly registered by examination in some other State, provided that the said person shall produce evidence satisfactory to the Commissioner of Pharmacy of having had the required secondary and professional education and training, and is possessed of good character and morals, as demanded of the applicants for registration under the provisions of the Pharmacy Act of this State; EXCEPTING, that persons of good character who have become registered as pharmacists by examination in other States prior to the time this Act becomes in force shall be required to satisfy only the requirements which existed in this State at the time they became registered in such other States and PROVIDED also, that the State in which such person is registered shall, under like conditions, grant reciprocal registration as pharmacist, without examination, to pharmacists duly registered by examination in this State.

The certificate of each registered pharmacist must be

conspicuously displayed at all times in his place of business or employment.

The certificate of registration or license of any Registered Pharmacist may be revoked or suspended by the Commissioner of Pharmacy when the registration is proved to the Commissioner of Pharmacy to have been obtained by fraudulent means, or when the registrant has been convicted of a felony or is found by the Commissioner of Pharmacy to be guilty of gross immorality, or to be addicted to the liquor or drug habit to such a degree as to render him unfit to compound, sell or dispense drugs and medicines. A certificate of registration or license shall be revoked or suspended only after due notice and hearing, and, for the purpose of such hearing, the Commissioner of Pharmacy is hereby authorized to examine witness under oath or affirmation, and reduce the testimony given in any such case in writing. Within thirty days after the revocation or suspension of a certificate of registration or license, the registrant may take an appeal to any court or courts of record of the State, or competent jurisdiction.

All pharmacists registered under this Act, while engaged in any store for retailing drugs, medicines, pharmaceutical preparations, or poisons, shall be exempt from serving on a jury. All circuit judges are required to give this Act in charge to each grand jury impaneled in their courts.

§ 6. Each Registered Pharmacist shall annually during the month of January, pay to the Commissioner of Pharmacy a renewal fee, to be fixed by the Commissioner of Pharmacy, which shall not exceed six dollars, for which he shall receive a renewal for such registration; which renewal certificate shall be conspicuously posted in his place of business. If the renewal fee of any Pharmacist be unpaid by April 1, of any year, such certificate is hereby declared null and void, and the holder thereof may be reinstated only upon the payment of a penalty of Ten Dollars and all lapsed fees. Any Regis-

tered Pharmacist who shall fail to secure his annual registration, by the payment of all fees and penalties due, for a period of three consecutive years he shall not be entitled to renew his registration except upon passing a satisfactory examination before the Examiners of Pharmacy. The Commissioner of Pharmacy shall each year turn over to the Kentucky Pharmaceutical Association for the advancement of the ART AND SCIENCE OF PHARMACY out of the annual renewal fees collected by him, the sum of three dollars for each Registered Pharmacist who shall have paid his renewal fee during such year. Every Registered Pharmacist shall, within ten days after changing his place of business, as designated by his renewal certificate, notify the Commissioner of Pharmacy of such change and also of his new place of business, upon the receipt of which the Commissioner of Pharmacy shall make the necessary change in his records. The Commissioner of Pharmacy shall annually publish a list of all persons who are duly registered as Registered Pharmacists in this Commonwealth, and shall mail a copy of same to each Registered Pharmacist. It shall be the duty of the Commissioner of Pharmacy to erase from the register the name of any Registered Pharmacist who may have died, or has forfeited his right under the law to do business in this Commonwealth.

§ 7. The Commissioner of Pharmacy shall require and provide for annual registration of every manufacturing establishment of drugs, chemicals, medicines and poisons, patents and proprietaries and of every pharmacy, drug store, pharmacy department, prescription laboratory, dispensary or apothecary in this State. Any person, firm, corporation or co-partnership desiring to operate, maintain, open or establish a manufacturing establishment of drugs, medicines, chemicals, poisons, patents and proprietaries; or a pharmacy, drug store, pharmacy department, prescription laboratory, dispensary or apothecary in this State shall apply to the Commissioner of Pharmacy for a permit or license to do so. The

application for such permit or license shall be made on a form prescribed and furnished by the Commissioner of Pharmacy, which when properly executed shall indicate the ownership, trustee, receiver, or other person or persons desiring such permit or license together with the following information: Location of such manufacturing establishment, pharmacy, drug store, pharmacy department, prescription laboratory, dispensary or apothecary, including street and number, name or names of Registered Pharmacists employed, or in the case of a manufacturing establishment, the name of Registered Pharmacist or manufacturing chemist employed, together with the schedule of working hours per week, number of hours that establishment is kept open for business daily, name of manager, and such other information that the Commissioner of Pharmacy may from time to time require. If it is desired to operate more than one manufacturing establishment, pharmacy, drug store, pharmacy department, prescription laboratory, dispensary or apothecary, separate applications and separate permit or license shall be issued for each.

Every application for a permit shall be accompanied by the required fee of five dollars, which amount shall also be paid annually as the fee for renewal of such permit or license. If an application is found to be satisfactory by the Commissioner of Pharmacy he shall issue to the applicant a permit or license, which permit or license must be posted in a conspicuous place, for such manufacturing establishment, pharmacy, drug store, pharmacy department, prescription laboratory, dispensary or apothecary, for which an application is made. Permits or licenses issued under this section shall not be transferable, and shall expire on June 30 of each year. Change of ownership, management, Registered Pharmacist in its employ, or Registered Pharmacist in charge, or in the case of manufacturing establishments, Registered Pharmacist or Manufacturing Chemist in charge, must be reported

promptly to the Commissioner of Pharmacy in writing. The Commissioner of Pharmacy is hereby authorized to revoke any permit or license issued under the provisions of this section at any time when examination or inspection of the manufacturing establishment, pharmacy, drug store, pharmacy department, prescription laboratory, dispensary or apothecary, for the operation for which the permit or license was granted, shall disclose that such place is not being conducted according to the laws of the State or the rules and regulations promulgated by the Commissioner of Pharmacy. Any person, firm, corporation or co-partnership opening, operating or maintaining a pharmacy, drug store, pharmacy department, prescription laboratory, dispensary, apothecary or manufacturing establishment in violation of this section by failing to secure a permit or license as required, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty-five dollars nor more than one hundred dollars and all costs of prosecution, and each and every day that such violation continues shall constitute a separate and distinct offense.

§ 8. There shall be kept in every pharmacy, drug store, pharmacy department, prescription laboratory, dispensary or apothecary a copy of the latest revision of the United States Pharmacopoeia and the latest revision of the National Formulary, and if homeopathic remedies are compounded or dispensed, a copy of the latest revision of the Homeopathic Pharmacopoeia of the United States, which books must be available for the inspection of the Commissioner of Pharmacy and its properly authorized agents or employees.

The prescription laboratory shall be completely and entirely separated from the sales department. The prescription department shall at all times be orderly and clean, and provided with adequate light either natural or artificial. It shall be provided with light finished storage space in shelves or cabinet compartments for all equipment. It shall have

suitable sinks and washing facilities for complete equipment, and hand washing facilities for employees. A prescription counter of suitable impervious material must be provided.

Minimum equipment for prescription laboratory shall consist of the following apparatus and glassware: Three metal, one rubber spatulas; two four ounce, one 8 ounce, one 16 ounce or equivalent mortars; graduates minim, 1 ounce, 4 ounce, 8 ounce, and 16 ounce; one minim dropper or pipette; funnels, 2, 4 and 8 ounce; one or more pill tiles, graduated or porcelain; stirring rods, glass or rubber, and small funnel, rack and filter paper for eye prescriptions, and suitable dropper bottles. The use of prescription bottles showing graduations in the filling of prescriptions, is prohibited.

Every drug store compounding or filling prescriptions shall have a Torsion or Troemmer type box or beam scale, accurate to grains below five; grain weights in duplicate, one to five; scruple weights in duplicate, one-half to two; drachm weights in duplicate, one-half to two; one complete set metric weights.

All pharmaceuticals sensitive to light, air, heat or change of temperatures shall be stored in accordance with specifications set forth in the latest edition of the United States Pharmacopoeia and the National Formulary.

2.—All vaccines, virus and serums recognized as official by the current edition of the United States Pharmacopoeia and National Formulary, and also those that are non-official, shall be kept until used or expired at a temperature between 4:5 degrees C. and 20 degrees C., preferable at the lower limit as indicated by the latest United States Pharmacopoeia, or National Formulary, or as specified on the package (approximately 40 degrees F. to 68 degrees F.). All vaccines, virus and serums official in the United States Pharmacopoeia and National Formulary, current editions, and also those that are non-official, found on inspection to be kept at a higher temperature than that required in the United States Pharma-

copoeia or National Formulary, current editions, or in the case of those that are non-official the temperature specified on the package, shall be deemed adulterated and unfit for use and shall be stamped or marked plainly on the label by an authorized drug inspector with the words "not stored as required", together with the date of inspection and initials of the inspector.

Any person failing to comply with any of the requirements of this section, shall be guilty of a misdemeanor, and upon conviction, be fined not less than twenty dollars nor more than fifty dollars, or confined in jail for a period of not less than thirty days nor more than six months, or both such fine and imprisonment for each and every offense.

§ 9. Excepting as otherwise specifically provided by law, no person shall sell or dispense any drug, medicine or pharmaceutical preparation without affixing to the box, bottle, vessel, or package containing said drug, medicine, or pharmaceutical preparation, a clear and legible label, either printed or written, bearing the name of the article with the name and place of business of the Registered Pharmacist, owner or manager from whom the article was obtained. Every proprietor or manager of a pharmacy or drug store shall keep in his place of business a suitable book or file, in which shall be preserved for a period of two years, the original of every prescription compounded, and shall produce the same in court or before any grand jury whenever thereto lawfully required. Said book or file or original prescriptions shall at all times be open for the inspection by the prescriber, the Commissioner of Pharmacy or his assistant, and all officers of the law. It is further provided that the label on each prescription container must be signed by the compounding pharmacist at the time of compounding same, and that each refill shall be accompanied by a new label, properly signed by the compounder, as herebefore prescribed in this section. Any person violating or failing to comply with the require-

ments of this section shall be deemed guilty of a misdemeanor, and upon conviction, be fined not less than fifty dollars nor more than two hundred dollars, or be confined in jail for a period of not less than thirty days nor more than six months, or both such fine and imprisonment.

§ 10. No pharmacist or other person shall manufacture, compound or sell or offer for sale, or cause to be manufactured, compounded, sold or offered for sale any medicine, compound or preparation for internal or external use under and by a name recognized in the United States Pharmacopoeia or National Formularly which differs from the standard of strength and purity specified therein as official at the time of such manufacture, compounding, sale or offering for sale. Nor shall any pharmacist or other person manufacture, compound, sell or offer for sale, or cause to be manufactured, sold or offered for sale, any drug, medicine, chemical or pharmaceutical preparation, the strength of which falls below the professed standard of strength and purity under which it is sold. Nor shall any pharmacist or other person being requested by means of a prescription, or in any other manner to sell, furnish or compound any drug, medicine, chemical or pharmaceutical preparation, substitute or cause to be substituted therefor without notification to the subscriber or purchaser, any other drug, medicine, chemical, or pharmaceutical preparation. On complaint being made the Commissioner of Pharmacy is empowered to employ an expert chemist or analyst, to examine into the so-called adulteration or substitution, and report upon the result of his investigation, and if the said report shall be deemed to justify such action the Commissioner of Pharmacy shall cause the prosecution of the offender. Any pharmacist or other person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction, shall be fined not less than one hundred dollars nor more than five hundred dollars, or from thirty days to six months in jail, or both such fine

and imprisonment for the first offense. For each subsequent offense, shall be fined not less than two hundred dollars nor more than one thousand dollars or imprisoned in jail for not less than six months nor more than twelve months or both such fine and imprisonment and in addition to the above penalties he shall be adjudged to pay for all costs of inspection and analyzing such adulterated or substituted article, and if the offender be a Registered Pharmacist his name shall be stricken from the records upon conviction of a third offense.

§ 11. No person shall sell at retail any poisons, except as herein provided, without affixing to the bottle, box, vessel, or package containing same, a label printed or plainly written, containing the name of the article, the word "POISON", and the name and place of business of the seller, with the common name of two or more readily accessible antidotes, nor shall he deliver poison to any person without satisfying himself that such poison is to be used for legitimate purposes. A poison, in the meaning of this Act, shall be any drug, chemical or preparation, which, according to standard works on medicine or materia medica, is liable to be destructive to adult human life, in quantities of sixty grains or less. It shall be the further duty of any one selling or dispensing poisons, which are known to be destructive to human life in quantities of five grains or less, before delivering them, to enter in a book kept for that purpose the name of the seller, the name and residence of the buyer, the name of the article, the quantity sold or disposed of, and the purpose for which it is said to be intended, which book or registry shall be preserved for at least two years after the date of the last entry made therein and shall at all times be open to the inspection of the coroner of the county of which same may be kept, and to the inspection of the Commissioner of Pharmacy or its authorized representative. The provision of this section shall not apply to the dispensing of poisons in not unusual quantities, or doses, on physician's prescriptions.

The following emmenagogues or abortives; tansy; pennyroyal; rue, savin, ergot, cotton root and their preparations, patent, proprietaries or otherwise, shall be sold only at retail or dispensed only upon the original written prescription of a legal qualified physician, and said prescription shall be filled but once, and of which no copy shall be taken by any person. Every person failing to comply with the requirements of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be liable to a fine of not less than twenty dollars nor more than one hundred dollars, or confined in jail for a period of not less than thirty days nor more than six months, or both such fine and imprisonment for the first offense. For each subsequent offense the penalty shall be a fine of not less than one hundred dollars nor more than five hundred dollars, or confined in jail for a period of not less than six months nor more than twelve months, or both such fine and imprisonment.

§ 12. 1.—No person shall sell, offer for sale, give away, deal in or supply or have in his possession with intent for sale, offer for sale, give away, deal in or supply any article of food or drink or any medicinal or toilet preparation intended for human use internally or externally which contains any methyl alcohol, otherwise known as wood alcohol or wood naphtha, either crude or refined, under and by whatever name or trade mark the same be called or known or which contains denatured alcohol containing methyl or wood alcohol.

2.—No person shall sell, offer for sale, give away, deal in or supply, or have in his possession with intent to sell, offer for sale, give away, deal in or supply any methyl alcohol, otherwise known as wood alcohol or wood naphtha, either crude or refined, under or by whatever name or trade-mark the same may be known or called, unless the container in which the same is kept, sold, offered for sale, given away, dealt in or supplied shall bear a notice containing the following device and words conspicuously printed or typewritten thereon, viz.:

"Skull and crossbones-poison-wood alcohol or wood naphtha-warning. Wood alcohol is poisonous, and when inhaled or swallowed may cause blindness or death. It is unlawful to use this fluid in any way either internally or externally for the human body."

3.—No person shall sell, offer for sale, give away, deal in or supply, or have in his possession with intent to sell, offer for sale, give away, deal in or supply any denatured alcohol that contains methyl or wood alcohol, unless the container in which same is kept, sold, offered for sale, given away, dealt in or supplied shall bear a notice containing the following device and words conspicuously printed or stenciled or typewritten thereon, viz.:

"Skull and crossbones-poison-denatured alcohol-warning. This fluid contains wood alcohol, and if inhaled or swallowed may cause blindness or death. It is unlawful to use this fluid in any way, either internally or externally for the human body."

4.—Nothing in this Act shall be construed as interfering with any other requirements of the law as to labels.

5.—Any person, firm, corporation or co-partnership violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, or by imprisonment of not less than thirty days or more than six months, or by both such fine and imprisonment.

§ 13. It shall be unlawful for any person to sell or offer for sale by peddling or offering for sale from house to house, or by public outcry, or by vending in the streets, or through the medium of vending machines, any drugs, medicines, chemical, or any composition or combination thereof, or any implement or appliance or other agency for the treatment or prevention of disease, injury or deformity. Any one violating the provisions of this section shall be guilty of a misdemean-

or, and upon conviction thereof, shall be fined not less than fifty dollars nor more than two hundred dollars or confined in jail for not less than thirty days nor more than ninety days, or both such fine and imprisonment for the first offense. For each subsequent offense the penalty shall be a fine of not less than one hundred dollars or more than five hundred dollars, or confined in jail for a period of not less than six months nor more than twelve months, or both such fine and imprisonment.

§ 14. Any person, whoever, leaves, throws or deposits upon the doorstep or premises owned or occupied by another or hands, gives or delivers from any vehicle or from house to house, or causes the same to be done by any person, except in a place where it is kept for sale, any medicine of any kind or nature, patent or proprietary, any preparation, pill, tablet, powder, cosmetic, disinfectant or antiseptic, or a drug or medicine that contains poison or any ingredient that is deleterious to health, as a sample, or for the purpose of advertising, shall be guilty of a misdemeanor and upon conviction shall be fined not less than thirty days nor more than ninety days, or both such fine and imprisonment for the first offense. For each and every offense thereafter he shall be fined not less than one hundred dollars nor more than five hundred dollars or imprisoned from sixty days to six months, or both such fine and imprisonment.

§ 15. The Commissioner of Pharmacy shall adopt and promulgate standards and requirements for recognition of schools and colleges of Pharmacy, subject to changes as may be deemed necessary from time to time. The requirements shall include provisions for a course of instructions, equipment, and professorial staff. Provided, however, that no school or college of pharmacy shall be given recognition by the Commissioner of Pharmacy unless all persons entering for regular courses in Pharmacy are required to be graduates of a standard recognized high school or have acquired the

equivalent of a four-year high school course in some other institution of equal rank or standing, or shall have passed an examination for the equivalent of a four-year high school course given by a State University or by a state department or bureau of education issuing a qualifying certificate.

§ 16. The Commissioner of Pharmacy, in order to be informed regarding the status of pharmacy in other States and throughout the country and desiring to affect agreements for reciprocal registration of pharmacists, shall annually select a Registered Pharmacist to meet with like representatives of other States at such meetings as are arranged for the discussion of degree of fitness required for registration by the various States, methods of examinations, and as these pertain to the public welfare, the Commissioner of Pharmacy, through its representative, may, with representatives from other States, join in creating and maintaining an Association of representatives of the several States to be engaged in the general advancement of pharmacy and the keeping of records pertaining to reciprocal registration of Pharmacists, and in its discretion may give to such association information which it possesses relating to such aims and objects. The expenses of the representative attending such meetings shall be paid by the Commissioner of Pharmacy, after an itemized statement, out of the funds in his keeping. The Commissioner of Pharmacy, at an expense not to exceed twenty-five dollars per annum, may subscribe for and secure the services of an Association engaged in the compilation of pharmacy information, knowledge, and progress, specially adapted to secure efficiency in the profession.

§ 17. (a) All Acts or parts of Acts heretofore enacted and now in full force in this State, same being Section 2619 to Section 2635 inclusive and Sections 1376T, 1376T-1, Carroll's Kentucky Statutes, 1934 Edition, are hereby repealed; provided that nothing contained in this Act shall be construed

to amend or repeal any Acts or sections which govern the manufacture, sale or distribution or narcotics.

(b) If any provision or section of this Act shall be held void or unconstitutional, all other provisions and all other sections of the Act, which are not expressly held to be void or unconstitutional, shall continue in full force and effect as if they had been passed separately.

By Mr. Shields:

H. B. 575. An Act creating seven appellate districts and assigning to each district the counties comprising the same.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

On and after January first, one thousand, nine hundred and thirty-seven, the court of appeals shall consist of seven judges, to be elected from districts, and the state is divided into seven districts for said purpose as follows:

First District: The first appellate court district shall consist of the counties of Ballard, Carlisle, Hickman, Fulton, Graves, McCracken, Calloway, Marshall, Livingston, Lyon, Trigg, Caldwell, Crittenden, Union, Webster, Hopkins, Muhlenberg and Christian.

Second District: The second appellate court district shall consist of the counties of Henderson, McLean, Daviess, Hancock, Breckinridge, Ohio, Grayson, Butler, Edmonson, Warren, Allen, Simpson, Logan, Todd, Monroe and Meade.

Third District: The third appellate court district shall consist of the counties of Hardin, Bullitt, Nelson, Washington, Marion, Spencer, Larue, Hart, Green, Taylor, Adair, Metcalfe, Barren, Clinton, Wayne, Russell, Shelby, Oldham, Anderson, Pulaski and Cumberland.

Fourth District: The fourth appellate court district shall consist of the county of Jefferson.

Fifth District: The fifth appellate court district shall consist of the counties of Henry, Trimble, Carroll, Gallatin, Owen, Scott, Franklin, Bourbon, Fayette, Woodford, Garrard, Boyle, Jessamine, Madison, Mercer, Lincoln, Rockcastle, Jackson, Clark and Casey

Sixth District: The sixth appellate court district shall consist of the counties of Boone, Campbell, Kenton, Grant, Harrison, Pendleton, Bracken, Robertson, Nicholas, Mason, Fleming, Lewis, Greenup, Carter, Rowan, Bath and Elliott.

Seventh District: The seventh appellate court district shall consist of the counties of Knott, Montgomery, Estill, Powell, Menifee, Bell, Harlan, Leslie, Lee, Breathitt, Perry, Letcher, Pike, Floyd, Magoffin, Wolfe, Morgan, Lawrence, Boyd, Johnson, Owsley, Clay, Knox, Laurel, Whitley, Martin and McCreary.

All laws or parts of laws in conflict herewith, are hereby repealed.

To Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 561. An Act to amend Section 256 of the Constitution of the Commonwealth of Kentucky, prescribing the mode of amendment of said Constitution.

H. B. 562. An Act relating to State appointive officers and State employees; declaring it unlawful for same to engage in pernicious political activity; providing penalties therefore; etc.

H. B. 563. An Act to amend Section 3498, etc., Kentucky

Statutes, 1930, relating to cities of the fourth class, declaring an emergency to exist.

H. B. 564. An Act relating to ditches in counties having more than 75 separate drainage districts; etc., and declaring an emergency to exist.

H. B. 565. An Act relating to wills, etc.

H. B. 566. An Act to amend Section 2519, Kentucky Statutes, Carroll's 1930 Edition.

H. Res. 61. Joint Resolution for the payment of Burnam Bach, ex-deputy Sheriff of Breathitt County, for his expenses and charges insistent thereto, in the extradition of Winston Elkins, a fugitive from justice, from Leavenworth, Kansas.

H. B. 567. An Act relating to revenue and taxation, defining automobiles classed as trucks, etc.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 39. An Act to amend and re-enact Sections 1, 2, and 19 of an Act entitled "An Act to authorize cities of the Second, Third and Fourth classes, to acquire water works and to issue bonds therefor, payable from the revenues of such works,"

being Chapter 133 of the Acts of the General Assembly of 1926, and to amend and re-enact the amendment to said Sections 1, 2, and 19 of said Act which amendment extended the provisions thereof to include the acquisition of sewerage systems within said cities, which amendment is Chapter 109 of the Acts of the General Assembly of 1932, and extending the provision of said original Act and amendment to cities of the fifth and sixth classes, declaring an emergency to exist, and repealing all conflicting laws.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections 1, 2, and 19 of An Act entitled "An Act to authorize cities of the second, third and fourth classes to acquire water works and to issue bonds therefor, payable from the revenues for such works", being Chapter 133 of the Acts of the General Assembly of 1926, and the amendment to said Sections 1, 2, and 19 of said Act which amendment extended the provisions of the original act to include the acquisition of sewerage systems within said cities, which amendment is Chapter 109 of the Acts of the General Assembly of 1932, be and the same are hereby amended and re-enacted so that the same as amended and re-enacted shall read as follows, to wit:

§ 1. That cities of the second, third, fourth, fifth and sixth classes whether under the general law or special charter law, and including such cities where the commission form of government has been adopted, are hereby authorized and empowered to purchase, establish, erect, maintain and operate water works and/or sewerage system, and necessary appurtenances thereto, within or without the corporate limits under the provisions of this Act, for the purpose of supplying such city or town and inhabitants thereof with water and/or sewerage system.

§ 2. For the purpose of defraying the cost of acquiring

any such water works and/or sewerage system, either by purchase or construction, and appurtenances or extensions thereto, such city may borrow money and issue negotiable bonds, provided no such bonds shall be issued unless and until authorized by an ordinance specifying the proposed undertaking, the amount of bonds to be issued and the maximum rate of interest such bonds are to bear, which shall not be more than six per cent (6%) per annum.

§ 19. This act shall be deemed to create an additional and alternate method for the acquisition of water works and/or sewerage system by any city of the second, third, fourth, fifth and sixth classes, and shall not be deemed to include, alter, amend or repeal any other statute, except such as conflict herewith. No proceedings shall be required for the acquisition of any water works hereunder or the acquisition of any sewerage system, or the issuance of bonds hereunder except such as are prescribed by this act, any provision in the General Laws of the Commonwealth of Kentucky or charter of any city to the contrary notwithstanding. All the powers heretofore vested in cities of the second, third and fourth classes relative to the acquisition of water works and the issuance of bonds therefor, as provided in Chapter 133 of the Acts of the General Assembly of 1926, and as amended by Chapter 109 of the Acts of 1932 extending the provisions of said original act to the acquisition of sewerage system in said cities are hereby extended in full to cities of the fifth and sixth classes.

Whereas, many of the cities to which this act is applicable are now without adequate water works or sewerage facilities, thus endangering the health, safety, and convenience of the inhabitants thereof, and whereas, some of the cities are unable to procure loans from the Federal Government until this Act becomes a law, therefore, an emergency is declared to exist and this Act shall take effect, immediately upon its passage and approval by the Governor.

All laws or parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Chas. P. Farnsley	Lloyd MacDonald
Henry H. Allen	T. P. Fitzpatrick	W. F. McGary
C. W. Anderson, Jr.	H. Myer Garner	Elmer McGlothen
H. T. Baker	James Garnett, Jr.	John Marshall
W. T. Baker	G. W. Garrett	C. S. Matherly
G. M. Ballard	Ferd A. Gnau	D. T. Matlack
B. F. Bedford	Eugene Gough	W. H. Miller
Reuben J. Boling	Ben Grogan	John B. Mollett
Douglas Bolling	Jas. T. Hamilton	W. E. Mull
Ollie J. Bowen	C. L. Hammons	Tyler Munford
Wallace Brown	W. L. Hampton, Jr.	J. C. Nickell
Dr. R. A. Byers	Thomas W. Hines	Russell O'Neill
V. O. Chandler	Price Holbrook	Mel Petry
Floyd Clark	Clyde S. Howard	A. W. Pfeiffer
Roscoe Claxon	John M. Hunnicut	J. C. Ramey
George S. Clay	Ben W. Johnson	Hobart Rayburn
J. A. Coleman	J. H. Jones	Harry C. Records
Roy Conway	O. C. Jones	L. K. Rice
Herbert Cook	R. T. Kirkman	Wade H. Riley
Harry Davis	J. F. Ladd	Joe E. Robinson
Sam Dever	Leslie Larrimore	John C. Robinson
Howard G. Early	Robert E. Lee	W. T. Rollo
Garland Embry	T. B. McConnell	Carl Scheben
Walter R. Fannin	J. L. McDermott	Carl Schneider

Ray O. Shehan	Dr. H. S. Swope	Henry Ward
Dr. B. F. Shields	W. R. Tapp	L. R. Wells
P. L. Sidebottom	J. J. Thomas	W. G. Williams
Bruce Sloan	R. Van Bever, Jr.	Charles Wylie
H. C. Steely	S. J. Wagner	
Henry Stewart	Joseph L. Wall	—88

Resolved that the title thereof be as aforesaid.

Mr. Grogan moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Dr. Shields moved that the House do now recess until one-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the chair and called the House to order.

A message was received from the Senate, announcing that they had passed a bill and resolution which originated in this House, entitled:

H. Res. 21. Joint Resolution creating Legislative Committee to investigate and inspect properties of the Commonwealth and to provide for their expenses.

H. B. 18. An Act relating to the release of prisoners from penitentiaries, state reformatories, etc.

Ordered that said bill and resolution be delivered to the Enrolling Clerk of this House.

And that they had passed bills which originated in the Senate entitled:

S. B. 100. An Act creating and providing for the election of Boards of Drainage Commissioners, etc.

S. B. 181. An Act fixing and defining a part of the boundary line between the counties of Bell and Harlan.

S. B. 93. An Act to provide State Insurance for public buildings and property, creating the State Insurance Commission, etc.

Ordered that said bills be printed and referred to the Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 250. An Act to forbid operators of motor vehicles passing school busses or other passenger-carrying motor vehicles which are stopped to take on or discharge school children or passengers and providing a penalty for violation of the act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That whenever any school bus or other passenger-carrying motor vehicle is stopped upon or near the main traveled portion of any highway of this Commonwealth for the purpose of receiving or discharging school children or passen-

gers, any operator of a motor vehicle approaching from either direction shall bring said vehicle to a full stop and not start up or pass until such school bus or other passenger-carrying vehicle has finished receiving or discharging school children or passengers, except at points where reasonable safety isles or zones have been established, approaching vehicles may pass between such safety isle or zone and the curb or edge of the highway.

Any person violating the provisions of this act shall for each offense be fined not less than ten dollars nor more than one hundred dollars.

Mr. Reuben Boling offered the following amendment to said bill, viz.:

Amend H. B. 250 by adding after the word "highway", line 10, page 1 of the printed bill the following words: "At a distance of not less than (200) two hundred feet before stopping to take on or discharge school children; the operator of any school bus shall be required to signal any and all approaching motor vehicles that he is going to stop and that each school bus shall be equipped with suitable stop signal signs which signs shall be so constructed and so fixed to the body of the bus that they can be seen by motor vehicles approaching in both directions at a reasonable distance to provide the operator of such vehicles sufficient time to stop.

Said amendment was agreed to.

Mr. Davis offered the following amendment to said bill, viz.:

Amend H. B. 250, page 1, line 5, by striking out the following "either direction" and insert in lieu thereof the following "the rear of school bus".

Said amendment was disagreed to.

Ordered that said bill be engrossed, and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Garland Embry	M. T. McCarthy
Henry H. Allen	Clarence E. Evans	T. B. McConnell
C. W. Anderson, Jr.	Walter R. Fannin	J. L. McDermott
H. T. Baker	T. P. Fitzpatrick	Lloyd MacDonald
W. T. Baker	H. Myer Garner	W. F. McGary
G. M. Ballard	James Garnett, Jr.	Elmer McGlothen
B. F. Bedford	G. W. Garrett	John Marshall
Reuben J. Boling	Ferd A. Gnau	C. S. Matherly
Douglas Bolling	Eugene Gough	D. T. Matlack
Ollie J. Bowen	Ben Grogan	Duke Mayfield
Wallace Brown	Jas. T. Hamilton	John B. Mollett
Dr. R. A. Byers	C. L. Hammons	W. E. Mull
V. O. Chandler	W. L. Hampton, Jr.	Tyler Munford
Floyd Clark	Thomas W. Hines	Rodes K. Myers
Roscoe Claxon	Price Holbrook	J. C. Nickell
George S. Clay	Clyde S. Howard	Russell O'Neill
J. A. Coleman	Ira W. Hulette	Mel Petry
Roy Conway	John M. Hunnicut	A. W. Pfeiffer
Herbert Cook	Ben W. Johnson	J. C. Ramey
Harry Davis	J. H. Jones	Hobart Rayburn
Sam Dever	O. C. Jones	Harry C. Records
Stanley S. Dickson	J. F. Ladd	L. K. Rice
George W. Dunlap	Leslie Larrimore	Wade H. Riley
Howard G. Early	Robert E. Lee	Joe E. Robinson

W. T. Rollo	Chester D. Silvers	R. Van Bever, Jr.
A. W. Ross	Bruce Sloan	S. J. Wagner
Carl Scheben	H. C. Steely	Joseph L. Wall
Ray O. Shehan	Henry Stewart	Henry Ward
Dr. B. F. Shields	W. R. Tapp	W. G. Williams
P. L. Sidebottom	J. J. Thomas	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The Speaker announced that he had received from the Clerk of the Court of Appeals an attested copy of the opinion of the Court which was requested by this House under the provisions of a resolution heretofore adopted by the House.

Said opinion of the Court of Appeals is as follows, viz.:

COURT OF APPEALS OF KENTUCKY

In the matter of the request of the House of Representatives for an advisory opinion as to the constitutionality of House Bill No. 222.

OPINION AND RESPONSE BY CHIEF JUSTICE CLAY

House Bill No. 8, which was passed by the General Assembly and approved by the Governor on January 22, 1936, provides that the Governor by a request in writing, or either House of the General Assembly by resolution of such House, may obtain the written opinion of the Justices of the Court of Appeals of Kentucky, or a majority thereof, on important constitutional questions, and all such opinions shall be published in volumes entitled "Advisory Opinions of C. of A."

Section 1 of House Bill No. 222 provides that no state tax shall be levied, assessed or collected on real estate. Section 2 imposes a tax of 50 cents upon each $100 of the value of all property which is directed by law to be assessed for taxation, except real estate. Subsection (a) of Section 2 imposes a tax of one-tenth of one per cent upon the deposits in any bank, trust company, or combined bank and trust company, organized under the laws of the State. Subsection (b) deals with the taxation of building and loan associations.

On January 30, 1936, the House of Representatives after referring to House Bill No. 8, and the doubt in the minds of the members of the House as to the constitutionality of Section 1 of House Bill No. 222, passed a resolution requesting the Justices of the Court of Appeals to deliver to the House on or before Tuesday morning, February 4, 1936, a written opinion as to the constitutionality of House Bill No. 222.

We have had the resolution under advisement, and have given it that consideration which a communication from a branch of a coordinate department of the government is entitled to receive.

If the act authorizing the rendition of advisory opinions is in conflict with our Constitution, it imposed no duty, and any opinion expressed in pursuance of action under it is extra-judicial, and no official responsibility attaches to the Judges or Court voluntarily giving it. In the Matter of the Application of the Senate, 10 Minn. 78, it is true that the Highest courts of Colorado, Florida, Maine, Massachusetts, New Hampshire, Rhode Island, and South Dakota may render advisory opinions, but it is because the Constitutions of those states impose upon them the duty to render such opinions. In states having no such provisions in their Constitutions it is generally held that constitutional provisions similar to Sections 27 and 28 of our Constitution, dividing the powers of government into three distinct departments: legislative, executive and judicial, and providing that no person or col-

lection of persons being of one of those departments shall exercise any power properly belonging to either of the others, not only prevent an assumption by either department of, powers not properly belonging to it, but forbid the imposition by one of any duty upon either of the others not within the scope of its jurisdiction, and therefore forbid an assignment to the judiciary of any duties not properly judicial and to be performed in a judicial manner. Following this rule the courts take the view that the rendition of advisory opinions is not a judicial act, and may not be required of the courts. Hayburn's Case, 2 Dall. 409; In the Matter of the Application of the Senate, 10 Minn. 78; The State v. Baughman, 38 Ohio, 455.

However, we do not have to go that far. Section 110 of the Constitution is as follows:

"The court of appeals shall have appellate jurisdiction only, which shall be co-extensive with the state, under such restrictions and regulations not repugnant to this Constitution, as may from time to time be prescribed by law. Said court shall have power to issue such writs as may be necessary to give it a general control of inferior jurisdictions." It will be seen that, with the exception of the power to issue certain writs, a matter not here involved, the Court of Appeals has "appellate jurisdiction only". The word "appellate" is used in contradistinction to the word "original". Original jurisdiction is jurisdiction conferred upon or inherent in a court in the first instance. "Appellate jurisdiction is the power of a superior court to review the final judgment, order or decree of an inferior court." Ex p. Batesville, etc., R. Co., 39 Ark. 82. "The essential criterion of appellate jurisdiction is that it revises and corrects the proceedings in a cause already instituted, and does not create that cause." Marbury v. Madison, 1 Cranch (U. S.) 137, 172, 2 L. Ed. 60; Auditor v. Atchison, etc., R. Co., 6 Kan. 500, 7 Am. Rep. 575.

In the early case of Smith v. Carr, 3 Ky. (Hardin) 305, the Court said:

"Appellate jurisdiction, ex vi termini, implies a resort from an inferior tribunal of justice, to a superior, for the purpose of revising the judgments of the inferior tribunal. This, it is believed, is the sense in which the expressions have at all times been used by legal writers. This must be the sense in which they are used in the constitution, and in this sense they have been understood by the Legislature; who in their several acts upon the subject of appeals and writs of error, invariably speak of them as the means of revising the judgments and decrees of the inferior courts; not as the means of correcting the acts of the ministerial officers of those courts." The latest case on the question is Stuber v. Snyder's Committee, 261 Ky. 338, 87 S. W. (2d) 614, where we said:

"Appellate jurisdiction means jurisdiction to retry and determine something that has already been tried in some other tribunal."

As the rendition of advisory opinions is in no sense a review or rehearing of a cause that has been tried in a court below, it necessarily follows that House Bill No. 8, conferring the power on the Judges to render an advisory opinion, conflicts with Section 110 of the Constitution. Auditor v. Atchison, etc., supra.

Clearly a power or duty forbidden by the Constitution can not be conferred on the Court or its members. That being true, the members of the Court, who are always glad under proper circumstances, to cooperate with other departments of the government in every possible way, have no alternative except respectfully to decline to comply with the request of the House of Representatives.

A copy of this opinion and response duly attested by the Clerk of this Court will be delivered to the Speaker of the

House of Representatives for presentation to that body.
Whole Court sitting.

ATTEST: CHARLES K. O'CONNELL,
Clerk Court of Appeals.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 222. An Act relating to revenue and taxation and repealing Chapter 148 of the Acts of the General Assembly of 1934, being Section 4019, Kentucky Statutes, Baldwin's 1934 Kentucky Statute Service.

With an amendment thereto as offered by Mr. Milam.

(For bill and amendment see House Journal of January 30.)

Mr. Munford moved that said bill be made a Special Order of the Day, for tomorrow at two-thirty o'clock.

Said motion was disagreed to.

The yeas and nays being required thereon by Messers. Munford and H. H. Allen, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. T. Rollo	R. Van Bever, Jr.
Tyler Munford		—4

Those who voted in the negative were—

F. T. Allen	W. T. Baker	Reuben J. Boling
C. W. Anderson, Jr.	G. M. Ballard	Douglas Bolling
H. T. Baker	B. F. Bedford	Ollie J. Bowen

Wallace Brown	W. L. Hampton, Jr.	Mel Petry
Dr. R. A. Byers	Thomas W. Hines	A. W. Pfeiffer
V. O. Chandler	Price Holbrook	J. C. Ramey
Floyd Clark	Clyde S. Howard	Harry C. Records
Roscoe Claxon	Ira W. Hulette	L. K. Rice
George S. Clay	Ben W. Johnson	Wade H. Riley
J. A. Coleman	J. H. Jones	Joe E. Robinson
Roy Conway	O. C. Jones	John C. Robinson
Herbert Cook	R. T. Kirkman	A. W. Ross
Harry Davis	Leslie Larrimore	Carl Scheben
Sam Dever	Robert E. Lee	Dr. B. F. Shields
Stanley S. Dickson	M. T. McCarthy	P. L. Sidebottom
George W. Dunlap	T. B. McConnell	Chester D. Silvers
Clarence E. Evans	J. L. McDermott	Bruce Sloan
Walter R. Fannin	W. F. McGary	H. C. Steely
T. P. Fitzpatrick	Elmer McGlothen	Henry Stewart
H. Myer Garner	John Marshall	W. R. Tapp
James Garnett, Jr.	C. S. Matherly	J. J. Thomas
G. W. Garrett	D. T. Matlack	S. J. Wagner
Eugene Gough	John B. Mollett	Joseph L. Wall
Ben Grogan	Rodes K. Myers	Henry Ward
Jas. T. Hamilton	J. C. Nickell	L. R. Wells
C. L. Hammons	Russell O'Neill	Charles Wylie

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Mr. Rayburn, rising to a point of personal privilege, requested that it be noted in the Journal of the House, that another member of the House had answered the above roll call when his name was called and that he had not voted on the motion to make said bill as Special Order for tomorrow.

The amendment as offered by Mr. Milam was then disagreed to.

The yeas and nays being required thereon by Messrs. Munford and Garnett, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Reuben J. Boling	Walter R. Fannin
H. T. Baker	V. O. Chandler	Chas. P. Farnsley

James Garnett, Jr.	Lloyd MacDonald	Carl Schneider
Ferd A. Gnau	W. H. Miller	Ray O. Shehan
C. L. Hammons	W. E. Mull	Henry Stewart
John M. Hunnicut	Tyler Munford	R. Van Bever, Jr.
J. H. Jones	Russell O'Neill	L. R. Wells
Leslie Larrimore	W. T. Rollo	—23

Those who voted in the negative were—

F. T. Allen	Eugene Gough	A. W. Pfeiffer
C. W. Anderson, Jr.	Ben Grogan	J. C. Ramey
W. T. Baker	Jas. T. Hamilton	Harry C. Records
G. M. Ballard	W. L. Hampton, Jr.	L. K. Rice
B. F. Bedford	Thomas W. Hines	Wade H. Riley
Douglas Bolling	Clyde S. Howard	Joe E. Robinson
Ollie J. Bowen	Ira W. Hulette	John C. Robinson
Wallace Brown	Ben W. Johnson	A. W. Ross
Floyd Clark	O. C. Jones	Carl Scheben
Roscoe Claxon	R. T. Kirkman	Dr. B. F. Shields
George S. Clay	J. F. Ladd	P. L. Sidebottom
J. A. Coleman	Robert E. Lee	Chester D. Silvers
Roy Conway	M. T. McCarthy	Bruce Sloan
Herbert Cook	T. B. McConnell	H. C. Steely
Harry Davis	J. L. McDermott	W. R. Tapp
Sam Dever	W. F. McGary	J. J. Thomas
Stanley S. Dickson	Elmer McGlothen	S. J. Wagner
George W. Dunlap	John Marshall	Joseph L. Wall
Howard G. Early	D. T. Matlack	Henry Ward
Garland Embry	Duke Mayfield	W. G. Williams
Clarence E. Evans	John B. Mollett	Charles Wylie
T. P. Fitzpatrick	J. C. Nickell	John Kirtley, Spkr.
G. W. Garrett	Mel Petry	—69

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	G. W. Garrett	Mel Petry
C. W. Anderson, Jr.	Eugene Gough	A. W. Pfeiffer
H. T. Baker	Ben Grogan	J. C. Ramey
W. T. Baker	Jas. T. Hamilton	Hobart Rayburn
G. M. Ballard	W. L. Hampton, Jr.	Harry C. Records
B. F. Bedford	Thomas W. Hines	L. K. Rice
Douglas Bolling	Price Holbrook	Wade H. Riley
Ollie J. Bowen	Clyde S. Howard	Joe E. Robinson
Wallace Brown	Ira W. Hulette	John C. Robinson
Dr. R. A. Byers	Ben W. Johnson	A. W. Ross
V. O. Chandler	J. H. Jones	Carl Scheben
Floyd Clark	O. C. Jones	Carl Schneider
Roscoe Claxon	R. T. Kirkman	Dr. B. F. Shields
George S. Clay	J. F. Ladd	P. L. Sidebottom
J. A. Coleman	Robert E. Lee	Bruce Sloan
Roy Conway	M. T. McCarthy	H. C. Steely
Herbert Cook	T. B. McConnell	Henry Stewart
Harry Davis	J. L. McDermott	W. R. Tapp
Sam Dever	W. F. McGary	J. J. Thomas
Stanley S. Dickson	Elmer McGlothen	S. J. Wagner
George W. Dunlap	John Marshall	Joseph L. Wall
Howard G. Early	C. S. Matherly	Henry Ward
Garland Embry	Duke Mayfield	L. R. Wells
Clarence E. Evans	John B. Mollett	W. G. Williams
Walter R. Fannin	Tyler Munford	Charles Wylie
T. P. Fitzpatrick	Rodes K. Myers	
H. Myer Garner	J. C. Nickell	—79

Those who voted in the negative were—

Henry H. Allen	Ferd A. Gnau	W. T. Rollo
Reuben J. Boling	C. L. Hammons	Ray O. Shehan
James Garnett, Jr.	Russell O'Neill	R. Van Bever, Jr.

—9

Resolved that the title thereof be as aforesaid.

Mr. Hulette moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Dr. Shields, of the Committee on Rules to which the same had been referred, reported bills of the following titles:

H. B. 568. An Act relating to the primary system of roads and highways.

H. B. 569. An Act relating to the primary system of roads and highways.

H. B. 570. An Act relating to the primary system of roads and highways.

H. B. 571. An Act relating to the primary system of roads and highways.

H. B. 572. An Act amending Carroll's Kentucky Statutes, 1930 Edition, so as to permit all persons who have served 12 consecutive years as Clerk of a Circuit Court to practice law without taking the bar examination.

H. B. 573. An Act amending the Constitution of the Commonwealth of Kentucky, relating to the reorganization of county and state government into single county-wide governmental units, etc.

H. B. 574. An Act regulating the Practice of Pharmacy.

H. B. 575. An Act creating seven Appellate districts and assigning to each district the counties comprising same.

S. B. 100. An Act creating and providing for the election of Boards of Drainage Commissioners.

S. B. 181. An Act fixing and defining a part of the boundary line between the counties of Bell and Harlan.

S. B. 93. An Act to provide State Insurance for public buildings and property, creating the State Insurance Commission, etc.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Mr. Dickson of the Committee on Enrollment, reported that they had examined and found to be correctly enrolled, a resolution which originated in the Senate, entitled:

S. Res. 34. A resolution designating the Cordell Hull Highway.

Thereupon all other business was suspended, said resolution was read at length and compared and found to be correctly enrolled, and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that said resolution be delivered to the Enrolling Clerk of the Senate.

The hour of three o'clock P. M. having arrived, the House stood adjourned.

WEDNESDAY, FEBRUARY 5, 1936.

The House was opened with prayer by the Reverend Alexander M. Warren of the Presbyterian Church North, of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. T. Allen
Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
G. M. Ballard
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Clarence E. Evans
Walter R. Fannin
Chas. P. Farnsley
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
C. S. Matherly
Duke Mayfield
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

Mr. Davis moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. McDermott moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. O'Neill moved that the privilege of the floor be extended to Mr. Hubert Meredith and William Wickliffe of Greenville, Kentucky.

Said motion was agreed to.

Mr. H. H. Allen moved that the privilege of the floor be extended to Judge James R. Miller of Meade County and H. H. Lusk and Harold Barnes of Bullitt County.

Said motion was agreed to.

Mr. Riley moved that the privilege of the floor be extended to Mr. George Taylor.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Howard:

H. B. 576. An Act establishing as a part of the primary system of highways in this Commonwealth a road leading from the Lincoln birthplace near Hodgenville to Hawesville by way of Knob Creek, Elizabethtown, Mill Creek, Big Spring and Hardinsburg, to be known as the Lincoln Memorial Highway and to provide for making same.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary system of highways of this Commonwealth a road leading from Lincoln's birthplace near Hodgenville to Hawesville by way of the Lincoln Home on Knob Creek, Elizabethtown, the home of Lincoln's mother and sister on Mill Creek, Big Spring and Hardinsburg.

§ 2. That the State Highway Commission shall upon the request of the Lincoln Memorial Highway Commission properly mark such highway by appropriate signs.

By Mr. Gnau:

H. B. 577. An Act to repeal, amend and re-enact Section 2877a-13, Carroll's Kentucky Statutes, 1930 Edition, relating to the employment of Matron and Assistant Matron for jails in the counties where the said matrons and assistant matrons are permitted to be employed as now provided by law.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2877a-13, Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby repealed, amended and re-enacted so that when said section is re-enacted it shall read as follows:

"Whenever it becomes necessary to search a female prisoner it shall be done by or in the presence of the police matron or an assistant police matron. The salary of the police matron shall be seventy-five dollars ($75.00) per month and that of the assistant police matron seventy-five dollars ($75.00) per month. The expenses necessary for pro-

viding the proper accommodations for the police matron and assistant police matron at the jail and for sufficient and suitable accommodations for the female prisoners detained therein, as provided for in this act, and the salary of the police matron and the assistant police matron at the county jail shall be borne by the county in which said jail is located, and the expense necessary for providing a suitable room or rooms at each of the station houses designated for the detention of female prisoners and the salary of each of the assistant matrons at said station houses and the expense of providing suitable accommodations for said female prisoners shall be borne by the city of the first class as other expenses in the police department are provided.

By Mr. Gnau:

H. B. 578. An Act repealing, amending and re-enacting Section 2237A-3, Carroll's Kentucky Statutes, 1930 Edition, relating to employment of physicians for jails, as is now provided by law.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2237A-3, Carroll's Kentucky Statutes, 1930 Edition, and the same is hereby repealed, amended and re-enacted so when re-enacted said section shall read as follows:

That said physician who shall have been appointed as physician of the jail in any county now authorized by law to employ a physician shall receive as compensation for his services, the sum of $2,400.00 per annum to be paid by the county, except in counties containing cities having a separate government their pro rata as may be agreed upon by said city and county. Said payments may be made either semi-monthly or monthly as may be agreed upon.

By Mr. Garrett:

H. B. 579. An Act to amend and re-enact Section 4356t-9 of Carroll's Kentucky Statutes, 1930 Edition, extending the designation of centers of construction in the primary system of state highways, and providing that funds of the State Highway Commission shall be used in the construction or and maintenance of highways connecting county seats before such funds are used in the construction and maintenance of other highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4356t-9 of Carroll's Kentucky Statutes, 1930 Edition, be amended and re-enacted so that such section when so amended and re-enacted shall read as follows, to wit:

The following cities and towns in the state are hereby declared centers of construction in the primary system of the state highways heretofore laid out and designated, viz.: Ashland, Bardstown, Beattyville, Bowling Green, Danville, Fenton, Covington, Clinton, Cynthiana, Lancaster, Frankfort, Glasgow, Harlan, Hazard, Guthrie, Hopkinsville, Lexington, London, Louisville, Madisonville, Maysville, Morehead, Owensboro, Pineville, Pikeville, Paducah, Leitchfield, Elizabethtown, Richmond, Irvine, Russellville, Somerset, Vanceburg, West Liberty, Williamstown, Marion, Henderson, Eddyville, Campbellsburg, Middlesboro, Winchester, Falmouth, Central City, Newport, Albany, Greenup, Mt. Sterling, Greensburg, Mayfield, Fulton, Bardwell, Williamsburg, Fullerton, Wickliffe, Hickman, Murray, Benton, Smithfield, Cadiz, Princeton, Dixon, Elkton, Franklin, Calhoun, Greenville, Morganfield, Hawesville, Hartford, Morgantown, Scottsville, Hodgenville, Munfordville, Edmonton, Tompkinsville, Burkesville, Brandenburg, Jamestown, Monticello, Hardinsburg, Lawrenceburg, Owingsville, Burlington, Paris,

Catlettsburg, Brooksville, Jackson, Shepherdsville, Carrollton, Grayson, Liberty, Manchester, Sandy Hook, Flemingsburg, Prestonsburg, Warsaw, Newcastle, McKee, Nicholasville, Paintsville, Hindman, Barbourville, Hyden, Louisa, Whitesburg, Whitley City, Salyersville, Lebanon, Inez, Frenchburg, Harrodsburg, Carlisle, LaGrange, Owenton, Booneville, Stanton, Mt. Olivet, Mt. Vernon, Jamestown, Georgetown, Shelbyville, Taylorsville, Bedford, Springfield, Campton, Versailles.

The State Highway Commission shall begin the construction of the system of state highways from these cities and towns as nearly simultaneously as possible, and shall prosecute the work on any and all as rapidly as finances are available for that purpose, due regard being given to the maintenance of roads built in preceding years under state aid or otherwise which have been incorporated in this system of state highways or which have been constructed under this act. It is further provided that the State Highway Commission shall use its funds to construct and maintain roads and highways that connect county seats of the various counties of the state before such funds are used to construct and maintain other roads and highways of the state.

By Mr. Silvers:

H. Res. 62. Joint Resolution providing for furnishing Kentucky Directories.

Said resolution is as follows, viz.:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Librarian is hereby authorized and directed to purchase at not exceeding two dollars per copy five hundred and fifty copies of the book entitled "Kentucky Directory 1936" for the use of the Courts, state and county officers and members of the General Assembly. The Libra-

rian will furnish the members of the General Assembly and such officers as may be designated by the Presiding officers of the respective houses a copy of same and will furnish the state officials with copies thereof and will send a copy thereof to the Clerk of the County Court of each county in the state to be kept in his office. The Librarian will furnish to the Librarian of each state and territory of the union a copy of said book in exchange for similar books from said states and territories, and a copy to the Librarian of Congress, and deliver to the Secretary of State fifty copies to exchange.

§ 2. It being necessary that the officers should have the books herein provided for, an emergency is declared and this resolution shall take effect upon its adoption and approval by the Governor.

To Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 568. An Act relating to the primary system of roads and highways.

H. B. 569. An Act relating to the primary system of roads and highways.

H. B. 570. An Act relating to the primary system of roads and highways.

H. B. 571. An Act relating to the primary system of roads and highways.

H. B. 572. An Act amending Carroll's Kentucky Statutes, 1930 Edition, so as to permit all persons who have served

12 consecutive years as Clerk of a Circuit Court to practice law without taking the bar examination.

H. B. 573. An Act amending the Constitution of the Commonwealth of Kentucky, relating to the reorganization of county and state government into single county-wide governmental units, etc.

H. B. 574. An Act regulating the practice of pharmacy.

H. B. 575. An Act creating seven Appellate districts and assigning to each district the counties comprising same.

S. B. 100. An Act creating and providing for the election of Boards of Drainage Commissioners.

S. B. 181. An Act fixing and defining a part of the boundary line between the counties of Bell and Harlan.

S. B. 93. An Act to provide State Insurance for public buildings and property, creating the State Insurance Commission, etc.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

A message was received from the Senate, announcing that they had passed a bill which originated in this House entitled:

H. B. 156. An Act relating to the fiscal courts composed of County Judge and County Commissioners.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

And that they had passed a bill which originated in the Senate, entitled:

S. B. 253. An Act to regulate the practice of dentistry in the State of Kentucky.

Ordered that said bill be printed and referred to Committee on Rules.

The House took up for consideration the unfinished business of yesterday, to wit: the Special Order for three o'clock P. M., a bill entitled:

H. B. 427. An Act to provide old age assistance, etc.

With amendments heretofore adopted.

(For bill and amendments heretofore adopted see House Journal of February 3.)

Mr. Myers moved that the vote, by which amendments Nos. 1 and 2 were adopted, be reconsidered.

Said motion was agreed to.

Thereafter such reconsideration, said amendments were withdrawn by Mr. McCarthy, by unanimous consent.

Mr. Myers offered the following amendments to said bill, viz.:

1. Amend H. B. 427 by striking from Section 8, line 4,

the following words "any responsible person", and substituting therefor "a committee duly appointed by the county or circuit court."

2. Amend H. B. 427 by striking from Section 9, lines 2 and 3, "be ceased on the death of a recipient, or on his removal of domicile from this State" and adding in lieu of those words "ceased for any good or valid cause".

3. Amend H. B. 427 by striking from Section 11, lines 14, 15 and 16, the following words "When so filed each certificate shall be a legal claim against both the said person and his estate and shall have the same force and effect as a judgment at law" and adding the following after the word "State" in line 7: "In the event of a controversy over the validity of a claim, either the Department of Public Welfare or the claimant may have it adjudicated in a court of competent jurisdiction".

Said amendments were each and severally agreed to.

Mr. Myers moved the Previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Mr. MacDonald moved that the vote by which the Previous Question was ordered, be reconsidered.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. MacDonald and Hammons, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen C. W. Anderson, Jr. H. T. Baker

G. M. Ballard	G. W. Garrett	Hobart Rayburn
Reuben J. Boling	Jas. T. Hamilton	Ray O. Shehan
Dr. R. A. Byers	C. L. Hammons	H. C. Steely
Jas. C. Carter	Thomas W. Hines	Henry Stewart
V. O. Chandler	Leslie Larrimore	Dr. H. S. Swope
J. A. Coleman	Lloyd MacDonald	R. Van Bever, Jr.
Garland Embry	G. S. Milam	Charles Wylie
Walter R. Fannin	W. H. Miller	
H. Myer Garner	Russell O'Neill	—28

Those who voted in the negative were—

F. T. Allen	Price Holbrook	A. W. Pfeiffer
W. T. Baker	Clyde S. Howard	J. C. Ramey
B. F. Bedford	Ira W. Hulette	Harry C. Records
Douglas Bolling	John M. Hunnicut	Wade H. Riley
Ollie J. Bowen	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
Roscoe Claxon	O. C. Jones	W. T. Rollo
George S. Clay	R. T. Kirkman	A. W. Ross
Roy Conway	J. F. Ladd	Carl Scheben
Herbert Cook	M. T. McCarthy	Dr. B. F. Shields
Sam Dever	T. B. McConnell	P. L. Sidebottom
Stanley S. Dickson	J. L. McDermott	Chester D. Silvers
George W. Dunlap	W. F. McGary	Bruce Sloan
Howard G. Early	Elmer McGlothen	W. R. Tapp
Clarence E. Evans	John Marshall	J. J. Thomas
Chas. P. Farnsley	C. S. Matherly	S. J. Wagner
T. P. Fitzpatrick	Duke Mayfield	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
Ferd A. Gnau	W. E. Mull	L. R. Wells
Eugene Gough	Rodes K. Myers	W. G. Williams
Ben Grogan	J. C. Nickell	
W. L. Hampton, Jr.	Mel Petry	—64

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	H. Myer Garner	G. S. Milam
Henry H. Allen	James Garnett, Jr.	W. H. Miller
C. W. Anderson, Jr.	G. W. Garrett	John B. Mollett
H. T. Baker	Ferd A. Gnau	W. E. Mull
W. T. Baker	Eugene Gough	Tyler Munford
G. M. Ballard	Ben Grogan	Rodes K. Myers
B. F. Bedford	Jas. T. Hamilton	J. C. Nickell
Reuben J. Boling	C. L. Hammons	Russell O'Neill
Douglas Bolling	W. L. Hampton, Jr.	Mel Petry
Ollie J. Bowen	Thomas W. Hines	A. W. Pfeiffer
Wallace Brown	Price Holbrook	J. C. Ramey
Dr. R. A. Byers	Clyde S. Howard	Hobart Rayburn
Jas. C. Carter	Ira W. Hulette	Harry C. Records
V. O. Chandler	John M. Hunnicut	L. K. Rice
Floyd Clark	Ben W. Johnson	Wade H. Riley
Roscoe Claxon	J. H. Jones	Joe E. Robinson
George S. Clay	O. C. Jones	John C. Robinson
J. A. Coleman	R. T. Kirkman	W. T. Rollo
Roy Conway	J. F. Ladd	A. W. Ross
Herbert Cook	Leslie Larrimore	Carl Scheben
Harry Davis	Robert E. Lee	Ray O. Shehan
Sam Dever	M. T. McCarthy	Dr. B. F. Shields
Stanley S. Dickson	T. B. McConnell	P. L. Sidebottom
George W. Dunlap	J. L. McDermott	Chester D. Silvers
Howard G. Early	Lloyd MacDonald	Bruce Sloan
Garland Embry	W. F. McGary	H. C. Steely
Clarence E. Evans	Elmer McGlothen	Henry Stewart
Walter R. Fannin	John Marshall	Dr. H. S. Swope
Chas. P. Farnsley	C. S. Matherly	W. R. Tapp
T. P. Fitzpatrick	Duke Mayfield	J. J. Thomas

R. Van Bever, Jr.	Henry Ward	Charles Wylie	
S. J. Wagner	L. R. Wells	Mr. Speaker	
Joseph L. Wall	W. G. Williams		—98

Mr. Myers offered the following amendment to the title of said bill, viz.:

Amend the title of H. B. 427 by adding after the word "thereof" the following words: "providing for the adjudication of controversial claims arising under this act in a court of competent jurisdiction" and by adding after the words "herewith" the following words: "This Act shall be known and cited as the McCarthy-Ramey Pension Act."

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Ramey moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Dickson of the Committee on Enrollment, reported that they had examined and found to be correctly enrolled, a resolution and bills of the following titles, viz.:

H. Res. 21. Resolution creating a Legislative Committee to investigate and inspect properties of the Commonwealth of Kentucky.

S. B. 78. An Act prohibiting the sale or disposition or removal of standing timber.

S. B. 79. An Act relating to real estate mortgages.

Thereupon all other business was suspended, said bills and resolution were read at length and compared in open session and found to be correctly enrolled, and thereupon, the Speaker in open session and in the presence of the House, affixed his signature thereto.

Ordered that said bills which originated in the Senate be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of the House deliver said resolution, which originated in the House, to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said resolution duly signed by the President of the Senate, into the possession of the Chief Clerk of the House.

Ordered that the Chief Clerk aforesaid deliver said resolution to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Dr. Shields moved that the House do now recess until two o'clock P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of two o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

At the hour of two o'clock P. M. the House took up for

consideration the Special Order of the Day, to wit: a bill entitled:

H. B. 121. An Act relating to the employment of State prisoners; etc.

Mr. Brown moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

At the hour of two-thirty o'clock P. M. the House took up for consideration the Special Order of the Day, to wit: a bill entitled:

H. B. 451. An Act to repeal Section 2380-7 of Carroll's Kentucky Statutes, 1930 Edition, etc.

By unanimous consent, said bill was laid on the Clerk's desk.

Mr. Tapp moved that when the House recess this afternoon, it recess to meet again at seven-thirty o'clock P. M.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 46. A Bill to promote safe driving and to remove the reckless and financially irresponsible driver from the highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

DEFINITIONS

§ 1. The following words, as used in this Act, shall have the following meanings:

(a) Commissioner.—Shall mean the Commissioner of Motor Transportation of this State or other officer in charge of the issuance of motor vehicle operators' licenses, chauffeurs' licenses, and registration certificates.

(b) Person.—Every natural person, firm, copartnership, association, or corporation.

(c) Operator.—Every person, other than a chauffeur, who is in actual physical control of a motor vehicle upon a highway.

(d) Chauffeur.—Every person who is employed for the principal purpose of operating a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property.

(e) Owner.—A person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this act.

(f) Nonresident.—Every person who is not a resident of this State.

(g) Motor Vehicle.—Every vehicle propelled by an internal-combustion engine or by electricity or steam, except traction engines, road rollers, and vehicles propelled only upon rails and tracks.

(h) Highway.—The entire width between property

lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.

(i) State.—Any State of the United States, the District of Columbia, or any province of the Dominion of Canada.

§ 2. This Act shall in no respect be considered as a repeal of any of the provisions of the State Motor Vehicle Code or Laws, but shall be construed as supplemental thereto.

SUSPENSION OF OPERATOR'S LICENSE AND REGISTRATION CERTIFICATE FOR CERTAIN OFFENSES

§ 3. (a) The motor vehicle operator's license, chauffeur's license, and all of the registration certificates of any person shall be suspended forthwith without notice or hearing by the Commissioner whenever such person shall by final order or judgment have been convicted of or shall have pleaded guilty to or shall have forfeited any bail or collateral deposited to secure his appearance for trial as defendant (where such forfeiture shall not have been vacated) for any offense hereafter committed which requires suspension or revocation of the licenses of such person in this State, or any offense in any other State which, if committed in this State, would require suspension or revocation of the licenses of such person in this State

PROOF OF ABILITY TO RESPOND IN DAMAGES CONDITION PRECEDENT TO FUTURE LICENSING OR REGISTRATION

(b) Such operator's license, chauffeur's license and registration certificates shall remain suspended and shall not at any time thereafter be renewed, nor shall any such license be thereafter issued to such person [including any such person not previously licensed who shall by final order or judgment have been convicted of, pleaded guilty to or forfeited any bail or collateral deposited to secure his appearance for trial (where such forfeiture shall not have been vacated), for any

such offense or for operating a motor vehicle upon the highways without being licensed to do so, or for operating an unregistered motor vehicle upon the highways], nor shall any motor vehicle be thereafter registered in the name of such person until he shall have given proof of his ability to respond in damages for any liability thereafter incurred, resulting from the ownership, maintenance, use or operation thereafter of a motor vehicle, for bodily injury to or death of any one person in the amount of at least $5,000, and, subject to the aforesaid limit for any one person injured or killed, of at least $10,000 for bodily injury to or death of two or more persons in any one accident, and for damage to property in the amount of at least $1,000 resulting from any one accident. Such proof in said amounts shall be furnished for each motor vehicle registered by such person.

APPLICABLE TO NON-RESIDENTS

(c) If such person shall not be a resident of this State, he shall not operate any motor vehicle in this State nor shall any motor vehicle owned by him be operated within this State by any person, and no operator's or chauffeur's license shall be issued to such person and no motor vehicle shall be registered in his name until he shall have given proof of his ability to respond in damages as herein required.

CERTIFIED COPIES OF COURT RECORDS TO BE FURNISHED

(d) It shall be the duty of the clerk of the court, or of the judge of a court which has no clerk, in which any such judgment or order is rendered or other such action taken to forward immediately to the Commissioner a certified copy of such judgment, order or record of other action of the court which shall be *prima facie* evidence of the conviction, plea or other action therein stated. In the event that the person so shown to have been convicted, pleaded guilty or forfeited bail or securities appears to be a non-resident of this State, the Commissioner shall transmit a certified copy of the judgment

to the official in charge of the issuance of operator's licenses and registration certificates of the State of which the defendant is a resident.

OPERATOR OR CHAUFFEUR RELIEVED OF NECESSITY OF GIVING PROOF IN OWN BEHALF, UNDER CERTAIN CONDITIONS

(e) If it shall be duly established to the satisfaction of the Commissioner (1) that any person, whether a resident or non-resident of, this State, who shall have been convicted, pleaded guilty or forfeited bail or securities, as aforesaid, was, upon the occasion of the offense upon which such conviction, plea or forfeiture was based, a chauffeur or motor vehicle operator, however designated, in the employ of an owner of a motor vehicle or a member of the immediate family or household of an owner of a motor vehicle, and (2) that there was not, at the time of such offense any motor vehicle registered in this State (or if a non-resident, in the State of his residence) in the name of the person who has been convicted, pleaded guilty or forfeited bail or collateral, as aforesaid, then and in that event, if the person in whose name such motor vehicle is registered shall give proof of ability to respond in damages according to the provisions of this Act, which proof the Commissioner shall accept, such chauffeur or other person, as aforesaid, shall be relieved of the necessity of giving such proof in his own behalf so long as such chauffeur or other person is operating a motor vehicle for which the owner has given proof of his ability to respond in damages.

SUSPENSION OF OPERATOR'S LICENSE AND REGISTRATION CERTIFICATE UPON FAILURE TO SATISFY JUDGMENT

§ 4. (a) The operator's license, chauffeur's license, and all of the registration certificates of any person shall (except as provided in Section 5) be forthwith suspended by the Commissioner upon receiving from the court in which rendered a certificate, in the form prescribed by the Commissioner, show-

ing that such person failed to satisfy within thirty (30) days any judgment which shall have become final by expiration without appeal within the time in which appeal might have been perfected or by final affirmance on appeal, rendered against him by a court of competent jurisdiction in this State or in any other State, or in any District Court of the United States, for damages on account of bodily injury, including death, or damage to property resulting from the ownership, maintenance use or operation hereafter of a motor vehicle.

SATISFACTION OF JUDGMENT AND PROOF OF ABILITY TO RESPOND IN DAMAGES CONDITION PRECEDENT TO FUTURE LICENSING OR REGISTRATION

(b) Such operator's license, chauffeur's license and registration certificates shall (except as provided in Section 5) remain so suspended and shall not be renewed, or shall any such license be issued to such person nor shall any motor vehicle be thereafter registered in the name of such person (including any such person not previously licensed) while any such judgment remains unstayed, unsatisfied and subsisting nor until every such judgment is satisfied or discharged, except that a discharge in bankruptcy shall not be deemed a satisfaction of such judgment, and until the said person gives proof of his ability to respond in damages as required in Section 3 of this Act, for future accidents. If after such proof has been given, any other such judgment shall be recovered against such person resulting from an event occurring before such proof was given but after this Act shall take effect, such licenses and certificates shall again be and remain suspended, and no other such license or certificates shall be issued to such person while any such judgment remains unsatisfied and subsisting, as aforesaid.

APPLICABLE TO NON-RESIDENTS

(c) If such person who has failed to satisfy within thirty (30) days any final judgment, as aforesaid, shall not be a res-

ident of this State, he shall not operate any motor vehicle in this State, nor shall any motor vehicle owned by him be operated in this State by any person, nor shall any operator's or chauffeur's license be issued to such person or any motor vehicle registered in his name, until every such judgment shall be stayed, satisfied or discharged as herein provided, and until such person shall have given proof of his ability to respond in damages for future accidents as required in Section 3 of this Act.

CERTIFIED COPIES OF JUDGMENT TO BE FURNISHED

(d) It shall be the duty of the clerk of the court, or of the judge of a court which has no clerk, in which any judgment is rendered, to forward to the Commissioner immediately after the expiration of said thirty (30) days, a certified copy of such judgment. If the defendant is a non-resident, it shall be the duty of the Commissioner to transmit a certified copy of the judgment to the official in charge of the issuance of operator's licenses and registration certificates of the State of which the defendant is a resident.

PAYMENTS SUFFICIENT TO SATISFY REQUIREMENTS OF ACT

(e) Provided, however, anything in this Act to the contrary notwithstanding, that

(1) When $5,000 has been credited upon any judgment or judgments rendered in excess of that amount for or on account of bodily injury to or the death of one person as the result of any one accident; or

(2) When, subject to the limit of $5,000 for any one person so injured or killed, the sum of $10,000 has been credited upon any judgment or judgments rendered in excess of that amount for or on account of bodily injury to or the death of more than one person as the result of any one accident; or

(3) When $1,000 has been credited upon any judgment or judgments rendered in excess of that amount for damage

to property as the result of any one accident; resulting from the ownership, maintenance, use or operation of a motor vehicle, credit for such amounts shall be deemed a satisfaction of such judgment or judgments for the purposes of this Section only.

LICENSE OF REGISTRATION MAY BE RESTORED UPON PAYMENT OF JUDGMENT IN INSTALLMENTS

§ 5. A judgment debtor to whom this Act applies may, for the sole purpose of giving athority to the Commissioner to authorize the judgment debtor to operate a motor vehicle thereafter, on due notice to the judgment creditor, apply to the court in which the trial judgment was obtained for the privilege of paying such judgment in installments, and the court, in its discretion and without prejudice to any other legal remedies which the judgment creditor may have, may so order, fixing the amounts and times of payment of the installments. While the judgment debtor is not in default in payment of such installments, the Commissioner, upon his giving proof of ability to respond in damages for future accidents, as hereinbefore provided, may, in his discretion, restore or refrain from suspending his license and registration certificates; but such license and certificates shall be suspended as hereinbefore provided if and when the Commissioner is satisfied that the judgment debtor has failed to comply with the terms of the court order.

ESTABLISHMENT OF PROOF OF ABILITY TO RESPOND IN DAMAGES

§ 6. Proof of ability to respond in damages, when required under this Act, may be evidenced by any of the following:

CERTIFICATE OF INSURANCE CARRIER AS PROOF

(a) The written certificate or certifitates of any insurance carrier duly authorized to do business within the State, that it has issued to or for the benefit of the person named

therein a motor vehicle liability policy or policies in the form hereinafter prescribed, which, at the date of the certificate or certificates, is or are in full force and effect, and designating therein by explicit description or by other adequate reference, all motor vehicles to which the policy or policies apply. The Commissioner shall not accept any certificate or certificates unless the same shall specify the name, address, and business, if any, of the insured, the kind of insurance afforded by the policy, the premium charged therefor the policy period, and the limits of liability, nor unless the same shall cover all motor vehicles then registered in this State in the name of the person furnishing such proof. Additional certificates, as aforesaid, shall be required as a condition precedent to the registration of any additional motor vehicle or motor vehicles in the name of such person required to furnish proof as aforesaid. Said certificate or certificates shall certify that the motor vehicle liability policies therein cited shall not be canceled except as hereinafter provided, and that every motor vehicle liability policy therein cited complies with the requirements of this Act. The issuance of a certificate to serve as proof of ability to respond in damages under this Act shall be conclusive evidence that every motor vehicle liability policy therein cited fully conforms to all the requirements of this Act.

HOW A NON-RESIDENT CAN ESTABLISH PROOF OF ABILITY TO RESPOND IN DAMAGES

(b) If such person be a non-resident, a certificate as aforesaid, of any insurance carrier authorized to transact business in the State in which the motor vehicle or motor vehicles described in such certificate is registered, or if none be described, then in the State in which the insured resides, shall be accepted if such carrier shall (1) execute a power of attorney authorizing the Commissioner to accept service of notice or process in any action arising out of a motor vehicle accident in this State, and (2) duly adopt a resolution pro-

viding that its policies shall be deemed to be varied to comply with the law of this State relating to the terms of motor vehicle liability policies issued therein, and (3) agree to accept as final and binding any final judgment duly rendered in any action arising out of a motor vehicle accident in any court of competent jurisdiction in this State. If any foreign insurance carrier which has qualified to furnish proof of ability to respond in damages as hereinbefore required defaults in any of said undertakings or agreements, the Commissioner shall not thereafter accept any certificate of said carrier, whether theretofore filed or thereafter tendered, as proof of ability to respond in damages so long as such default continues.

COMMISSIONER TO BE NOTIFIED OF CANCELLATION

(c) When an insurance carrier has certified a motor vehicle liability policy under this Act, it shall give 10 days' written notice to the Commissioner before cancellation of such policy and the policy shall continue in full force and effect until the date of cancellation specified in such notice, unless it expires before that date.

BOND AS PROOF

(d) The bond of a surety company, duly authorized to transact business within the State, or a bond, with at least two (2) individual sureties, each owning real estate within this State, which real estate shall be scheduled in the bond approved by a judge of a court of record which said bond shall be conditioned for payment of the amounts specified in Section 3 of this Act; and such bond shall be filed with the Commissioner and shall not be cancelable except after ten (10) days' written notice to the Commissioner. Such bond shall constitute a lien in favor of the State upon the real estate so scheduled of any surety, which lien shall exist in favor of any holder of a final judgment against the person who has filed such proof on account of damage to property

or injury to, including death of a person or persons resulting from the ownership, maintenance, use or operation hereafter of a motor vehicle, upon the filing of notice to that effect by the Commissioner in the office of the county clerk of the county where such real estate shall be located.

(1) The clerk shall record said bond or lien in a book to be kept for that purpose and styled, "Motor Vehicle Responsibility Liens" and shall receive for his services a fee of $1.00, the same to be paid by the person furnishing said bond.

MONEY OR SECURITIES AS PROOF

(e) The certificate of the State Treasurer that the person named therein has deposited with him a sum of money or securities approved by him in the amounts as specified in Section 3 of this Act. The State Treasurer shall accept any such deposits and issue a certificate therefor, and the Commissioner shall accept such certificate if accompanied by evidence that there are no unsatisfied judgments against the depositor registered in the office of the county where the depositor resides.

WHEN COMMISSIONER MAY REQUIRE OTHER EVIDENCE

(f) Whenever any evidence of proof of ability to respond in damages filed under the provisions of this Act no longer fulfills the purposes for which required, the Commissioner shall, for the purpose of this Act, require other evidence of ability to respond in damages as required by this Act, and shall suspend the operator's license, chauffeur's license, and registration certificates, pending such proof.

RIGHTS OF A JUDGMENT CREDITOR AGAINST BOND, MONEY OR SECURITIES DEPOSITED WITH THE TREASURER

§ 7. A bond, money or securities filed or deposited by or on behalf of any person under the provisions of the preceding section, shall be held by the Commissioner or said

Treasurer to satisfy, in accordance with the provisions of this Act, any execution issued against such person on a judgment for damages as aforesaid arising out of the ownership, maintenance, use or operation of a motor vehicle as aforesaid. Money or securities so deposited shall not be subject to attachment of execution unless such attachment or execution shall arise out of a suit for damages as aforesaid. If such a judgment rendered against the principal on the surety company or real estate individual bond given under the provisions of this Act shall not be satisfied within thirty (30) days after it has become final as hereinbefore provided, the judgment creditor may, for his own use and benefit and at his sole expense, bring an action or actions in the name of the State against the company or persons executing such bond, including an action proceeding to foreclosure any lien that may exist upon the real estate of a person who has executed such bond.

FURNISHING OF OPERATOR'S RECORDS BY THE COMMISSIONER

§ 8. The Commissioner shall upon request furnish any person a certified abstract of the operating record of any person subject to the provisions of this Act, which abstract shall fully designate the motor vehicles (if any) registered in the name of such person, and if there shall be no record of any conviction of such person of violating any law relating to the operating of a motor vehicle or of any judgment rendered against such person, the Commissioner shall so certify and shall collect for each such certificate the sum of one dollar.

FURNISHING OF INFORMATION OF ABILITY TO RESPOND IN DAMAGES

§ 9. The Commissioner shall furnish any person who may have been injured in person or property by any motor vehicle, upon written request, with all information of record in his office pertaining to the evidence of the ability of any operator or owner of any motor vehicle to respond in damages. The records provided for in Sections 8 and 9 shall not

be admissible as evidence in any action for damages or criminal proceedings arising out of a motor vehicle accident.

LICENSE, REGISTRATION CERTIFICATE AND NUMBER PLATES TO BE RETURNED TO COMMISSIONER

§ 10. Any operator or any owner, whose operator's or chauffeur's license or certificate of registration shall have been suspended as herein provided, or whose policy of insurance or surety bond when same is required under this Act, shall have been canceled or terminated, or who shall neglect to furnish other evidence of ability to respond in damages upon request of the Commissioner shall immediately return to the Commissioner his operator's or chauffeur's license, certificate of registration and the number plates issued thereunder. If any person shall willfully fail to return to the Commissioner the operator's or chauffeur's license, certificate or certificates of registration and the number plates issued thereunder as provided herein, the Commissioner shall forthwith direct any peace officer to secure possession thereof and to return the same to the office of the Commissioner. Any person willfully failing to return such operator's or chauffeur's license or such certificate or certificates and number plates shall be guilty of a misdemeanor and upon conviction shall be fined not less than One Hundred Dollars ($100.00), nor more than One Thousand Dollars ($1,000.00), or imprisoned in the county jail for not to exceed ninety (90) days, and such penalty shall be in addition to any penalty imposed for any violation of the Motor Vehicle Laws of this State.

PERIOD DURING WHICH PROOF OF ABILITY TO RESPOND IN DAMAGES MUST BE MAINTAINED

§ 11. The Commissioner shall upon request cancel any bond or return any certificate of insurance, or the Commissioner shall direct and the State Treasurer shall return to the person entitled thereto any money or securities deposited pursuant to this Act as proof of ability to respond in damages,

or waive the requirement of filing proof of ability to respond in damages in any of the following events:

(a) At any time after 3 years from the date such proof was required when during the 3-year period preceding the request the person furnishing such proof has not been convicted of any offense referred to in Section 2 of this Act; or

(b) In the event of the death of the person on whose behalf such proof was filed, or the permanent incapacity of such person to operate a motor vehicle; or

(c) In the event the person who has given proof of financial responsibility surrenders his operator's or chauffeur's license, registration certificates, and registration plates to the Commissioner, but the Commissioner shall not release such proof in the event any action for damages upon a liability referred to in this Act is then pending or any judgment upon any such liability then outstanding and unsatisfied or in the event the Commissioner has received notice that such person has within the period of 3 months immediately preceding been involved as a driver in any motor vehicle accident. An affidavit of the applicant of the nonexistence of such facts shall be sufficient evidence thereof in the absence of evidence to the contrary in the records of the department.

Whenever any person to whom proof has been surrendered, as provided in the foregoing paragraph, applies for an operator's or chauffeur's license or the registration of a motor vehicle within a period of 3 years from the date proof of ability to respond in damages was originally required any such application shall be refused unless the applicant shall reestablish such proof for the remainder of such period.

(d) The Commissioner shall cancel any bond or return any certificate of insurance, or the Commissioner shall direct and the said Treasurer shall return any money or securities to the person entitled thereto, upon the acceptance and substitution of other adequate proof of ability to respond in damages pursuant to this Act.

PROHIBITING TRANSFER OF REGISTRATION TO DEFEAT PURPOSE OF THIS ACT

§ 12. If an owner's certificate of registration has been suspended under the provisions of this Act, such certificate shall not be transferred nor the motor vehicle in respect of which such certificate was issued, registered in another name, where the Commissioner has reasonable grounds to believe that such transfer or registration is proposed for the purpose of this Act. Provided, however, that such transfer of registration shall be permitted upon the furnishing of proof of ability to respond in damages to the Commissioner by such transferee whenever the Commissioner shall deem it necessary in furtherance of the purposes of this Section.

ACT NOT APPLICABLE TO CERTAIN POLICIES OF AUTOMOBILE INSURANCE

§ 13. Nothing in this Act contained shall be held to apply to or affect policies of automobile insurance against liability which may now or hereafter be required by any other law of this State, and such policies, if endorsed to conform to the requirements of this Act shall be accepted as proof of ability to respond in damages when required under this Act.

PENALTIES

§ 14. Any person who shall forge, or without authority sign any evidence of ability to respond in damages as required by the Commissioner in the administration of this Act and any person who shall violate any provisions of this Act for which no penalty is otherwise provided, shall be fined not less than One Hundred Dollars ($100.00) nor more than One Thousand Dollars ($1,000.00), or imprisoned not more than ninety (90) days or both.

OPERATING WITHOUT GIVING PROOF WHEN PROOF REQUIRED

§ 15. Any person whose operator's or chauffeur's license or registration card or other privilege to operate a

motor vehicle has been suspended or revoked and restoration thereof or issuance of a new license or registration is contingent upon the furnishing of proof of ability to respond in damages and who during such suspension or revocation or in the absence of full authorization from the Commissioner drives any motor vehicle upon any highway or knowingly permits any motor vehicle owned by such person to be operated by another upon any highway except as permitted hereunder shall be punished by a fine of not more than $500 or by imprisonment not exceeding 6 months or by both such fine and imprisonment.

RESTRICTIONS IN OPERATING MOTOR VEHICLES WHEN CERTAIN TYPE OF POLICY ISSUED

§ 16. (a) When a certificate is filed showing that a policy or policies have been issued covering all motor vehicles owned by the insured but not insuring such person when operating any motor vehicle not owned by him it shall be unlawful for such person to operate any motor vehicle not owned by him or not covered by such certificate. In such event the Commissioner shall designate the above restriction upon the operator's or chauffeur's license of such person.

(b) In the event the owner of a motor vehicle or motor vehicle desires to be relieved of the foregoing restriction and to be permitted to drive any other motor vehicle he may have such restrictions removed upon filing a certificate showing that there has been issued to him a policy of insurance insuring him as insured against liability imposed by law upon such insured for bodily injury to or death of any person or damage to property to the amounts and limits as provided under Section 17 of this Act with respect to any motor vehicle operated by him and which otherwise complies with the requirements of this Act with respect to such type of policy. Such policy is hereinafter referred to as an operator's policy.

(c) When the person required to give proof of ability to respond in damages is not the owner of a motor vehicle

then an operator's policy of the type and coverage described in the preceding paragraph shall be sufficient under this Act.

MOTOR VEHICLE LIABILITY POLICY

§ 17. (a) A motor vehicle liability policy as said term is used in this Act shall mean a policy of liability insurance issued by an insurance carrier authorized to transact business in this State to or for the benefit of the person named therein as insured which policy shall meet the following requirements:

1. Said policy shall designate by explicit description or by appropriate reference all motor vehicles with respect to which coverage is thereby intended to be granted.

2. Said policy shall insure the person named therein and any other person using or responsible for the use of said motor vehicle or motor vehicles with the express or implied permission of said insured.

3. Said policy shall insure every said person on account of the maintenance use or operation of said motor vehicle or motor vehicles within the continental limits of the United States or the Dominion of Canada against loss from the liability imposed by law arising from such maintenance, use or operation to the extent and aggregate amount, exclusive of interest and costs, with respect to each such motor vehicle, of $5,000 for bodily injury to or death of one person as a result of any one accident and, subject to said limit as to one person, the amount of $10,000 for bodily injury to or death of all persons as a result of any one accident and the amount of $1,000 for damage to property of others as a result of any one accident.

(b) When an operator's policy is required it shall insure the person named therein as insured against the liability imposed by law upon the insured for bodily injury to or death of any person or damage to property to the amounts and limits above set forth and growing out of the use or oper-

ation by the insured within the continental limits of the United States or the Dominion of Canada of any motor vehicle not owned by him.

(c) Any liability policy or policies issued hereunder need not cover any liability of the insured assumed by or imposed upon said insured under any workman's compensation law nor any liability for damage to property in charge of the insured of the insured's employees.

(d) Any such policy may, however, grant any lawful coverage in excess of or in addition to the coverage herein specified or contain any agreements, provisions or stipulations not in conflict with the provisions of this Act and not otherwise contrary to law.

(e) Any motor vehicle liability which by endorsement contains the provisions required hereunder shall be sufficient proof of ability to respond in damages.

(f) The department may accept several policies of one or more such carriers which together meet the requirements of this Section.

(g) Any binder pending the issuance of any policy, which binder contains or by reference includes the provisions hereunder shall be sufficient proof of ability to respond in damages.

ADDITIONAL REQUISITES OF MOTOR VEHICLE LIABILITY POLICY

§ 18. No motor vehicle liability policy or operator's policy shall be accepted as proof of ability to respond in damages hereunder unless and until all of the following requirements of this Section shall be complied with.

(a) Any said form of policy shall specify the name, address and business, if any, of the insured, the coverage afforded by the policy, the premium charged therefor, the policy period, and the limits of liability and shall contain an agreement that the insurance thereunder is provided in accordance with the coverage defined in this Act as respects

bodily injury and death or property damage or both and is subject to all the provisions of this Act.

(b) Every motor vehicle liability policy and every operator's policy accepted as proof under this Act shall be subject to the following provisions whether or not contained therein.

1. The liability of the insurance carrier under any such policy shall become absolute whenever loss or damage covered by such policy occurs and the satisfaction by the insured of a final judgment for such loss or damage shall not be a condition precedent to the right or obligation of the carrier to make payment on account of such loss or damage.

2. The insurance carrier shall, however, have the right to settle any claim covered by the policy, and if such settlement is made in good faith, the amount thereof shall be deductible from the limits of liability specified in the policy.

3. No such policy shall be canceled or annulled as respects any loss or damage by any agreement between the carrier and the insured after the said insured has become responsible for such loss or damage and any such cancellation or annullment shall be void.

4. The policy may provide that the insured, or any other person covered by the policy, shall reimburse the insurance carrier for payment made on account of any loss or damage claim or suit involving a breach of the terms, provisions, or conditions of the policy; and further, if the policy shall provide for limits in access of the limits specified in this Act, the insurance carrier may plead against any plaintiff, with respect to the amount of such excess limits of liability, any defenses which it may be entitled to plead against the insured, and any such policy may further provide for the pro-rating of the insurance thereunder with other applicable valid and collectible insurance.

5. The policy, the written application, therefor, if any, and any rider or endorsement which does not conflict with the

provisions of this Act shall constitute the entire contract between the parties.

WHEN INSURANCE CARRIER TO ISSUE CERTIFICATE

§ 19. An insurance carrier who has issued a motor vehicle liability policy or policies or an operators' policy meeting the requirements of this Act shall upon request of the insured therein deliver to the insured for filing, or at the request of the insured shall file direct with the Commissioner, an appropriate certificate showing that such policy or policies have been issued, which certificate shall meet the requirements of this Act.

§ 20. The Commissioner shall make rules and regulations necessary for the administration of this Act.

§ 21. Nothing herein shall be construed as preventing the plaintiff in any action at law from relying for security upon the other processes provided by law.

§ 22. If any part, subdivision or section of the Act shall be deemed unconstitutional, the validity of its remaining provisions shall not be affected thereby.

Mr. Silvers offered the following amendments to said bill, viz.:

Amend H. B. 46, page 4, line 57, insert after the word "offense" "or subsequent thereto up to the date of such finding".

Amend H. B. 46, page 14, line 6, insert after the word "purpose" "or will have the effect of defeating the purpose".

Said amendments were each agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Eugene Gough	Russell O'Neill
C. W. Anderson, Jr.	Ben Grogan	Mel Petry
H. T. Baker	Jas. T. Hamilton	A. W. Pfeiffer
W. T. Baker	C. L. Hammons	J. C. Ramey
G. M. Ballard	W. L. Hampton, Jr.	Hobart Rayburn
E. F. Bedford	Thomas W. Hines	L. K. Rice
Reuben J. Boling	Price Holbrook	Wade H. Riley
Douglas Bolling	Ira W. Hulette	Joe E. Robinson
Ollie J. Bowen	John M. Hunnicut	John C. Robinson
Dr. R. A. Byers	Ben W. Johnson	W. T. Rollo
Jas. C. Carter	J. H. Jones	A. W. Ross
V. O. Chandler	O. C. Jones	Carl Scheben
Roscoe Claxon	R. T. Kirkman	Carl Schneider
George S. Clay	J. F. Ladd	Ray O. Shehan
J. A. Coleman	Leslie Larrimore	Dr. B. F. Shields
Roy Conway	M. T. McCarthy	P. L. Sidebottom
Harry Davis	J. L. McDermott	Chester D. Silvers
Sam Dever	Lloyd MacDonald	Bruce Sloan
Stanley S. Dickson	W. F. McGary	H. C. Steely
George W. Dunlap	Elmer McGlothen	Henry Stewart
Howard G. Early	John Marshall	Dr. H. S. Swope
Garland Embry	C. S. Matherly	W. R. Tapp
Clarence E. Evans	Duke Mayfield	J. J. Thomas
Walter R. Fannin	G. S. Milam	R. Van Bever, Jr.
Chas. P. Farnsley	W. H. Miller	S. J. Wagner
T. P. Fitzpatrick	John B. Mollett	Joseph L. Wall
H. Myer Garner	W. E. Mull	Henry Ward
James Garnett, Jr.	Tyler Munford	L. R. Wells
G. W. Garrett	Rodes K. Myers	W. G. Williams
Ferd A. Gnau	J. C. Nickell	Charles Wylie

—90

There voted in the negative—

Herbert Cook —1

Mr. Silvers offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 46 by adding thereto after the word "Highways" the following words:

"to provide regulations therefor and providing for suspension of operators' license and registration certificate for certain offenses; providing for operator to offer proof of ability to respond in damages as condition precedent to future licensing or registration, making the provisions of this Act applicable to non-residents, providing for suspension of operator's license upon failure to satisfy judgment; providing for the acceptance of insurance carriers' certificate as proof of ability to respond in damages or a bond with good and valuable surety as proof of such ability; providing for the court procedure in regard to the regulations herein provided; providing for the essential requisites to be written in each motor vehicle liability policy issued in the Commonwealth and providing for the penalties for violation of this Act.

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Silvers moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 189. An Act to subject to execution and garnishment salaries of state, county and municipal employees.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That salaries or sum due state, county and municipal employees shall be subject to attachment or garnishment the same as if such salaries or sums were due from an individual.

Mr. Hulette offered the following amendment to said bill, viz.:

Amend H. B. 189 by striking from the printed bill all the words and figures in said bill following the enacting clause and substituting in lieu thereof the following:

Section 1. The salaries, commissions, compensation and amounts due any person, firm, or corporation from the Commonwealth of Kentucky and/or from any county or municipality shall be subject to attechment or garnishment the same as if said salaries, commissions, compensation or sums were due from a private individual, person, firm or corporation, subject only to the provisions hereinafter provided in Section 2.

Section 2. All suits for subjecting, by attachment or garnishment, the salaries, commissions, compensation or money due any person, firm or corporation from the State or from any county or municipality shall be instituted only in the Circuit or Quarterly Court of the county in which is located the seat of government of the State, county or municipality owing the money sought to be so subjected. The venue of such suits shall be as hereinabove provided and in such cases personal judgment may be rendered against the debtor defendant summoned in any county in Kentucky.

Section 3. All laws and parts of laws in conflict herewith, to the extent of such conflict, hereby are repealed.

Mr. Evans moved that said bill be made a Special Order of the Day for Thursday, February 6, at three o'clock P. M.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 163. An Act relating to the printing by State contract of any or all textbooks for the eight grades of the public schools of Kentucky; definition of terms used in Act; stating purposes of Act; defining certain powers and duties of the State Board of Education; prescribing certain duties of the State Textbook Commission and Board of Printing Commissioners under this Act; providing for approval of manuscript copy for such textbooks by a Manuscript Board or group of persons and defining duties of same for purposes of this Act; distributing such textbooks, produced under this Act to the public school children as now or may hereafter be provided by law; providing severable enactment of the sections and provisions of this Act; and repealing all laws or parts of laws in conflict herewith to extent of such conflict.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Definitions. The meaning and extent of certain terms used in this Act are defined as follows: "State Board of Education" shall mean the present Board, or any board or agency that may hereafter be created by law, having general State supervision or charge of the public schools of this State; "State Textbook Commission" means the commission

or board now charged with the duty of selecting textbooks for the public schools of the State, or any commission, board or other agency that may hereafter be provided by law for a similar purpose; "Board of Printing Commissioners" shall mean the board or agency now or hereafter provided by law to have charge of the contracting of public printing; "Manuscript Board" shall be the board or group of indviduals provided in this Act for approval of manuscript copy to be used in the production of any and/or all textbooks under this Act.

§ 2. The purposes of this Act are declared to be the furnishing of textbooks to children in the eight grades of the public schools of this State and to reduce the cost of such books to the Commonwealth of Kentucky.

§ 3. The State Board of Education is authorized and empowered, in its discretion, to provide manuscript copy and have printed, bound, manufactured and/or produced any or all textbooks for use in any or all eight grades of the public schools of the State. Any such production of textbooks shall be done by contract through the Board of Printing Commissioners as other public printing is or may hereafter be contracted by law.

In the event the State Board of Education should decide to provide under this Act for production by contract of any textbook for use in any of the eight grades of the public schools of this State, said State Board of Education is authorized and empowered and it shall be the duty of said board to provide manuscript copy for any such textbook by lease or rent, or by purchase, or to have same prepared; provided, however, the cost of such copy shall not exceed one thousand dollars for any one book and that all such manuscript copy shall first be approved by a majority of a board or group of persons, known for purposes of this Act as a "Manuscript Board", and composed of the State Superintendent of Public Institution, who shall be a member and ex officio chairman of said Board and shall call all necessary meetings

thereof, and the presidents of the University of Kentucky and of the several State Teachers Colleges of this State.

The State Board of Education shall notify the State Textbook Commission as soon as it decides to have any such books or book to be produced as herein provided for any or all of said eight grades of the public schools of the State, and upon any such notice any such textbook or books shall be excluded from the list to be adopted at any time by the said State Textbook Commission.

The State Board of Education shall furnish the manuscript copy for any such textbook to the Board of Printing Commissioners for contract letting as speedily as possible, and it shall then become the duty of the Board of Printing Commissioners to forthwith make arrangements for the letting to contract and manufacture of any and all such textbooks, for which manuscript copy may be furnished as herein provided, and for this purpose the Board of Printing Commissioners may meet in called session, after due notice to its members, and proceed to contract for the manufacture of any or all textbooks in the manner provided by law.

§ 4. It shall be the duty of the State Textbook Commission, Board of Printing Commissioners and other agencies herein mentioned to cooperate with the Board of Education in promptly furnishing for distribution to school children as by law provided all textbooks arranged for and produced under this Act.

§ 5. The distribution of any and all textbooks made and furnished hereunder shall be made promptly to the public schools or school children as now or hereafter may be provided by law.

§ 6. It is the purpose of the General Assembly to, and the sections and provisions of this Act are hereby declared to be severable and separately enacted and are separate and independent of each of every other section or division thereof, and if any section or provision of this Act shall be held un-

constitutional or invalid, no other section or provision shall be affected thereby.

§ 7. All laws or parts of laws in conflict herewith are hereby repealed to extent of such conflict.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Howard G. Early	O. C. Jones
Henry H. Allen	Garland Embry	R. T. Kirkman
C. W. Anderson, Jr.	Clarence E. Evans	J. F. Ladd
H. T. Baker	Walter R. Fannin	Leslie Larrimore
W. T. Baker	Chas. P. Farnsley	Robert E. Lee
G. M. Ballard	T. P. Fitzpatrick	T. B. McConnell
Reuben J. Boling	H. Myer Garner	J. L. McDermott
Douglas Bolling	James Garnett, Jr.	Lloyd MacDonald
Ollie J. Bowen	G. W. Garrett	W. F. McGary
Wallace Brown	Ferd A. Gnau	Elmer McGlothen
Dr. R. A. Byers	Eugene Gough	John Marshall
Jas. C. Carter	Ben Grogan	C. S. Matherly
V. O. Chandler	Jas. T. Hamilton	Duke Mayfield
Floyd Clark	C. L. Hammons	W. H. Miller
Roscoe Claxon	W. L. Hampton, Jr.	John B. Mollett
George S. Clay	Thomas W. Hines	W. E. Mull
J. A. Coleman	Price Holbrook	Tyler Munford
Roy Conway	Clyde S. Howard	Rodes K. Myers
Herbert Cook	Ira W. Hulette	J. C. Nickell
Harry Davis	John M. Hunnicut	Russell O'Neill
Sam Dever	Ben W. Johnson	Mel Petry
George W. Dunlap	J. H. Jones	A. W. Pfeiffer

J. C. Ramey	Ray O. Shehan	R. Van Bever, Jr.
Hobart Rayburn	Dr. B. F. Shields	S. J. Wagner
Harry C. Records	P. L. Sidebottom	Joseph L. Wall
L. K. Rice	Chester D. Silvers	Henry Ward
Wade H. Riley	H. C. Steely	L. R. Wells
Joe E. Robinson	Henry Stewart	W. G. Williams
W. T. Rollo	Dr. H. S. Swope	Charles Wylie
Carl Scheben	W. R. Tapp	
Carl Schneider	J. J. Thomas	—91

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration, from the Orders of the Day, a bill entitled:

H. B. 110. An Act to repeal and re-enact Chapter 142 of the Acts of the General Assembly of Kentucky of 1932, the same being Section 4151-2 of the 1932 Supplement to the 1930 Edition of Carroll's Kentucky Statutes, and relating to redemption of land sold for taxes and interest and penalty thereon and the possession thereof.

With a Committee Amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 142 of the Acts of the General Assembly of Kentucky of 1932, the same being Section 4151-2 of the 1932 Supplement to the 1930 Edition of Carroll's Kentucky Statutes, be and the same is hereby repealed and amended and re-enacted to read as follows:

§ 4151-2. *Land sold for taxes; redemption; possession; clerk may collect delinquent tax; duties of county judge.* When real estate is sold for taxes, if no one will bid for and purchase such real estate at the amount of tax, interest, penalty and cost including the cost for advertising and the sheriff's or collector's commission, it shall be the duty of the sheriff or collector, to purchase the same for the state, county and taxing district having taxes against the delinquent for the amount of tax due, interest, penalty, cost and commissions thereon, and he shall make return to the county clerk as provided in Section 40 (K. S. 4162) of Article 8, and the clerk shall certify same to the auditor of public accounts, and the sheriff or collector shall have credit for the amount of such tax due the state in the settlement with the auditor of public accounts. The owner of such real estate, his representatives, heirs or assigns, shall have the right to redeem the same from the state, county and district or any other purchaser at any time within three years after the day of sale, by paying the purchase money, with interest at the rate of six per centum (6%) per annum, and in addition two per centum (2%) penalty upon the total amount of the purchase price and the amount of all costs. The state, county and district shall have the right to possession of lands purchased by them at any time after the expiration of thirty days from the giving of the notice provided for in Kentucky Statutes, Section 4153, and the purchaser, other than the state, county or district, shall have the right to possession of the lands purchased by him at any time after the expiration of six months from the giving of the notice provided for in said Section 4153. In the redemption of lands sold to the state, county and district, for delinquent taxes at any time within the period of three years after the sale, or until the revenue agent, under the direction of the auditor of public accounts, assumes charge of the collection by sale or otherwise, the county clerk is hereby vested with the authority to collect such delinquent taxes, interest, cost, commissions and penalties as prescribed by law, and he

shall make report thereof to the auditor of public accounts, the treasurer of the county and the proper officer of the district as often as the latter officers may require, and not less than once in every thirty days; and he shall pay into the state treasury all moneys collected by him due the state, and the county treasury all moneys due the county, and all moneys due the district to the proper officer thereof, as herein authorized, on the first day of every month and oftener if required by the auditor of public accounts or either of the other officers mentioned. Said report of the county clerk showing the name of each owner and each piece of property redeemed, the year's taxes for which delinquent, the assessed valuation for the same for each year, and the total amount paid to the state, county and district for redemption shall be examined by the judge of the county court, and if correct certified to the auditor of public accounts; together with the total sum due the state, as shown on said report, less five per centum (5%) commission for the collection which he shall retain for his services.

Said Committee amendment is as follows, viz.:

Amend H. B. 110 by striking out the word "three" in line 19, between the word "within" and the word "years" and inserting in the place thereof the word "four".

By unanimous consent said amendment was withdrawn.

Mr. Clay offered the following amendments to said bill, viz.:

Amend H. B. 110 by striking out the word "three" in line 19, page 2, and inserting in place thereof the word "five".

Amend H. B. 110 by striking out the words beginning with the word "thirty" in line 25, page 2, and ending with the

words "Section 4153" in line 29, and inserting in lieu thereof the following: "the five years allowed for redemption by giving thirty days' notice to the owner, and the purchaser other than state, county and district shall have the right to possession of land purchased by him after the expiration of five years allowed for redemption by giving six months' notice to the owner thereof".

Amend H. B. 110 by striking out the word "three" in line 31, page 2, and inserting in lieu thereof the word "five".

Amend H. B. 110 by adding thereto at the end thereof the following words:

"Nothing contained herein or in Chapter 142 of the Acts of 1932 of the General Assembly of Kentucky, shall be construed as affecting the duties of the County Attorney, with reference to the giving of notice as provided in Section 4153, Carroll's Kentucky Statutes, or as affecting his compensation as provided in said Section."

Said amendments were each and severally agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	H. T. Baker	G. M. Ballard
C. W. Anderson, Jr.	W. T. Baker	B. F. Bedford

Reuben J. Boling	Jas. T. Hamilton	A. W. Pfeiffer
Douglas Bolling	C. L. Hammons	J. C. Ramey
Ollie J. Bowen	W. L. Hampton, Jr.	Hobart Rayburn
Wallace Brown	Thomas W. Hines	Harry C. Records
Dr. R. A. Byers	Clyde S. Howard	L. K. Rice
Jas. C. Carter	Ira W. Hulette	Wade H. Riley
V. O. Chandler	John M. Hunnicut	Joe E. Robinson
Roscoe Claxon	Ben W. Johnson	John C. Robinson
George S. Clay	J. H. Jones	W. T. Rollo
J. A. Coleman	J. F. Ladd	A. W. Ross
Roy Conway	Leslie Larrimore	Carl Scheben
Herbert Cook	Robert E. Lee	Carl Schneider
Harry Davis	J. L. McDermott	Ray O. Shehan
Sam Dever	Lloyd MacDonald	Dr. B. F. Shields
George W. Dunlap	W. F. McGary	P. L. Sidebottom
Howard G. Early	Elmer McGlothen	Chester D. Silvers
Garland Embry	John Marshall	H. C. Steely
Clarence E. Evans	C. S. Matherly	Henry Stewart
Walter R. Fannin	Duke Mayfield	Dr. H. S. Swope
Chas. P. Farnsley	G. S. Milam	W. R. Tapp
T. P. Fitzpatrick	John B. Mollett	J. J. Thomas
H. Myer Garner	W. E. Mull	R. Van Bever, Jr.
James Garnett, Jr.	Tyler Munford	S. J. Wagner
G. W. Garrett	Rodes K. Myers	Henry Ward
Ferd A. Gnau	J. C. Nickell	L. R. Wells
Eugene Gough	Russell O'Neill	W. G. Williams
Ben Grogan	Mel Petry	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Mr. Clay moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 38. An Act to invest in the County Judge the right to suspend a sentence against any one convicted for misdemeanor for not exceeding a term of six months in the county jail.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That in prosecution for crime, in the circuit, quarterly, and justice courts of this state where the defendant is a male person and has been found guilty and given a work sentence and he fails to pay or replevy same and has been committed to jail, the County Judge may suspend said sentence not exceeding six months. Whenever in the opinion of the court the sentence should be no longer suspended, the court may issue a notice to the defendant to return to and submit himself to the jailer and in the event he fails or refuses the court may cause capias pro fine to be issued thereon, and may fine him for contempt.

Mr. Gnau offered the following amendment to said bill, viz.:

Amend H. B. 38 by striking from the printed copy, line 4, the words "County Judge" and by inserting in lieu thereof the words "trial judge".

Said amendment was agreed to.

Mr. Carter offered the following amendment to said bill, viz.:

Amend H. B. 38 by striking out in line 2 of the printed copy the words "is a male person and".

Said amendment was agreed to.

Mr. Hines moved that said bill be made a Special Order of the Day, for Thursday, February 6, at eleven o'clock A. M.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 177. An Act to amend Section 1 of Chapter 87 of an Act entitled: "An Act to authorize the incorporation of Chambers of Commerce, provide for their government and the collection of dues and to authorize appropriations thereto by City Councils and City Commissioners of cities of the third (3d) and fourth (4th) classes in the Commonwealth of Kentucky; said Act being enacted by the General Assembly and approved March 17, 1928, and being Sections 2741N-1, Kentucky Statutes, 1930 Carroll's Edition, making the provisions of said Act applicable to cities of the second (2d) class.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1 of Chapter 87 of an Act, entitled an Act to authorize the incorporation of the Chambers of Commerce, provide for their government and collection of dues, and to authorize appropriations thereto by City Councils and City Commissioners of cities of the third (3d) and fourth (4th) class in the Commonwealth of Kentucky; said Act being enacted by the General Assembly and approved March 17, 1928, and same being Section 2741n-1, Kentucky Statutes, 1930 Carroll's Edition, be and the same is hereby amended and re-enacted to read as follows:

"Creation; purpose.—For the purpose of advertising, promoting, and developing the natural resources, and to promote the general welfare, better business methods, and civic

conditions, a corporate body is hereby authorized in cities of the second (2d), third (3d) and fourth (4th) class in the Commonwealth of Kentucky."

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Walter R. Fannin	T. B. McConnell
C. W. Anderson, Jr.	Chas. P. Farnsley	J. L. McDermott
W. T. Baker	T. P. Fitzpatrick	Lloyd MacDonald
G. M. Ballard	H. Myer Garner	Elmer McGlothen
Reuben J. Boling	James Garnett, Jr.	John Marshall
Douglas Bolling	G. W. Garrett	C. S. Matherly
Ollie J. Bowen	Eugene Gough	Duke Mayfield
Wallace Brown	Ben Grogan	G. S. Milam
Dr. R. A. Byers	Jas. T. Hamilton	John B. Mollett
Jas. C. Carter	C. L. Hammons	W. E. Mull
V. O. Chandler	W. L. Hampton, Jr.	Tyler Munford
Floyd Clark	Thomas W. Hines	Rodes K. Myers
Roscoe Claxon	Price Holbrook	J. C. Nickell
George S. Clay	Clyde S. Howard	Russell O'Neill
J. A. Coleman	Ira W. Hulette	Mel Petry
Roy Conway	John M. Hunnicut	A. W. Pfeiffer
Herbert Cook	Ben W. Johnson	Hobart Rayburn
Harry Davis	J. H. Jones	Harry C. Records
Stanley S. Dickson	O. C. Jones	L. K. Rice
George W. Dunlap	J. F. Ladd	Wade H. Riley
Howard G. Early	Leslie Larrimore	Joe E. Robinson
Garland Embry	Robert E. Lee	John C. Robinson
Clarence E. Evans	M. T. McCarthy	W. T. Rollo

A. W. Ross	Chester D. Silvers	J. J. Thomas	
Carl Scheben	Bruce Sloan	S. J. Wagner	
Carl Schneider	H. C. Steely	Henry Ward	
Ray O. Shehan	Henry Stewart	L. R. Wells	
Dr. B. F. Shields	Dr. H. S. Swope	Charles Wylie	
P. L. Sidebottom	W. R. Tapp		—86

Resolved that the title thereof be as aforesaid.

Mr. Hunnicut moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 6. An Act relating to the liability of cities and towns for damages resulting from accidents on streets, sidewalks and other public places.

With a Committee amendment thereto by way of Substitute therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. No city, town or other municipality in the State of Kentucky shall be liable to any person, firm, company or corporation for damages for alleged negligence, because of its failure to keep its streets, sidewalks and thoroughfares or other public places in reasonably safe condition for traveling thereon or use by the public, and no such municipal corporation shall be held to be a guarantor of the safety of its streets, sidewalks, thoroughfares or other public places; nor shall any

action for breach of duty because of failure to so maintain its streets, sidewalks, thoroughfares or other public places in reasonably safe condition for travel thereon or use by the public be maintained. It is the purpose of this Act to place the same responsibility upon cities and towns for maintaining their streets, sidewalks, thoroughfares and other public places, as is now fixed by law upon counties and the Commonwealth of Kentucky.

Said Substitute is as follows, viz.:

H. B. 6. An Act relating to the liability of cities and towns for damages resulting from accidents on streets, sidewalks, and other public places.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. No city, town, or other municipality in the State of Kentucky shall be liable to any person or persons, firm, company, or corporation for damages for alleged negligence because of its failure to keep its streets, sidewalks, thoroughfares, or other public places in a reasonably safe condition for traveling thereon and use by the public, except after the following provisions of this act shall have been complied with by the person or persons, firm, company, or corporation seeking to recover said damages for said alleged negligence:

a. It shall be necessary for any person or persons, firm, company, or corporation to file with the mayor, city attorney, or other public official representing the city, a notice in writing of the injury or injuries for which compensation and damages are sought.

b. Said notice shall be subscribed by the person seeking said damages or compensation for said damages resulting from said alleged negligence, or by his legally qualified agent, and verified before a notary public or other official qualified to administer an oath.

c. Said notice shall be filed with the mayor, city attorney, or other authorized city official of said city, town, or other municipality at least ninety (90) days after the date upon which the alleged injury or injuries occurred. The filing of said notice shall not interrupt or extend the present existing period of limitation for such action.

d. Said notice shall contain a complete description of the circumstances under which said alleged injury was sustained, to wit: date, time of day, place, and a detailed description of the obstruction, hole, or other hindrance which it is alleged was the cause of the injury.

§ 2. It is the legislative intent that the provisions of this act shall not in any way conflict with Section 54 of the Kentucky Constitution.

§ 3. If any paragraph or provision of this act is found to be in conflict with the Kentucky Constitution, it shall in no way affect the other paragraphs or provisions of this act.

Mr. Clay offered the following amendment to said Substitute, viz.:

Amend the Substitute for H. B. 6 by striking out in lines 15 and 16 the words "and verified before a notary public or other qualified to administer an oath".

Said amendment was disagreed to.

Mr. Garnett moved the Previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Said Substitute was then adopted.

Ordered that said bill be engrossed, and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Hobart Rayburn
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Harry C. Records
H. T. Baker	Price Holbrook	L. K. Rice
W. T. Baker	Clyde S. Howard	Joe E. Robinson
B. F. Bedford	Ira W. Hulette	John C. Robinson
Douglas Bolling	John M. Hunnicut	W. T. Rollo
Ollie J. Bowen	Ben W. Johnson	A. W. Ross
Wallace Brown	J. H. Jones	Carl Scheben
Dr. R. A. Byers	O. C. Jones	Carl Schneider
V. O. Chandler	J. F. Ladd	Ray O. Shehan
Floyd Clark	Leslie Larrimore	Dr. B. F. Shields
Roscoe Claxon	T. B. McConnell	P. L. Sidebottom
J. A. Coleman	J. L. McDermott	Chester D. Silvers
Herbert Cook	John Marshall	Bruce Sloan
Harry Davis	C. S. Matherly	H. C. Steely
Howard G. Early	Duke Mayfield	Henry Stewart
Garland Embry	G. S. Milam	Dr. H. S. Swope
Walter R. Fannin	John B. Mollett	W. R. Tapp
T. P. Fitzpatrick	W. E. Mull	J. J. Thomas
H. Myer Garner	Tyler Munford	S. J. Wagner
James Garnett, Jr.	Rodes K. Myers	Joseph L. Wall
G. W. Garrett	J. C. Nickell	Henry Ward
Ferd A. Gnau	Russell O'Neill	L. R. Wells
Eugene Gough	Mel Petry	W. G. Williams
Ben Grogan	A. W. Pfeiffer	Charles Wylie
Jas. T. Hamilton	J. C. Ramey	

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Those who voted in the negative were—

G. M. Ballard	Clarence E. Evans	Elmer McGlothen	
Jas. C. Carter	Chas. P. Farnsley	Wade H. Riley	
George S. Clay	Robert E. Lee		
Sam Dever	Lloyd MacDonald		—10

Resolved that the title thereof be as amended.

Mr. Ward moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 37. An Act appropriating the sum of $75.00 per month for the use of the widow and children of Robert Rowland, deceased.

Mr. Evans moved that said bill be made a Special Order of the Day for Friday, at eleven o'clock A. M.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 38. An Act appropriating the sum of $75.00 per month for the use of the widow and children of Powell Hayes, deceased.

Mr. Evans moved that said bill be made a Special Order of the Day for Friday at eleven o'clock A. M.

Said motion was agreed to.

Dr. Shields of the Committee on Rules to which the same had been referred, reported bills of the following titles:

H. B. 576. An Act relating to the Primary System of Roads and Highways.

H. B. 577. An Act to repeal Carroll's Kentucky Statutes, relating to employment of Matrons in Jails.

H. B. 578. An Act to repeal Carroll's Kentucky Statutes, relating to employment of physicians for jails.

H. B. 579. An Act to provide for the extension and construction of state highways in the Primary System.

H. Res. 62. Resolution providing for furnishing Kentucky Directories.

S. B. 253. An Act relating to the Kentucky State Board of Dental Examiners.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Mr. Dickson of the Committee on Enrollment, reported that they had examined and found to be correctly enrolled, a bill and resolution of the following titles, viz.:

S. Res. 15. Resolution for the benefit of R. H. Holbrook.

H. B. 18. An Act for the purpose of notifying Common-

wealth's Attorneys of persons discharged from the penitentiary.

Ordered that said resolution, which originated in the Senate, be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of this House deliver said bill which originated in the House to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said bill, duly signed by the President of the Senate, into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk aforesaid deliver said bill to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Mr. Myers moved that the House do now adjourn until tomorrow at ten o'clock A. M.

Said motion was agreed to.

And then the House adjourned.